NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(OCTOBER 20, 2015) (WEEK 43 OF 2015)

Agenda and Minutes also available at
www.woodburycountyiowa.gov

Larry D. Clausen	Mark A. Monson	Jaclyn D. Smith	Jeremy J. Taylor	Matthew A. Ung
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held October 20, 2015 at **4:30 p.m.** in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board for speakers.

1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, spell their name, and give their address and then their statement.
4. Everyone will have an opportunity to speak. Therefore, please limit your remarks to **three minutes on any one item**.
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the final agenda item "Citizen Concerns."
7. For the benefit of all in attendance, please turn off all cell phones and other devices while in the Board Chambers.

AGENDA

4:00 p.m. 1. Closed Session {Iowa Code Section 21.5(1)(c)} – **Board Meeting Room First Floor**

4:15 p.m. 2. Closed Session {Iowa Code Section 21.5(1)(c)} – **Board Meeting Room First Floor**

4:30 p.m. 3. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

4. Citizen Concern — Information

5. Approval of the agenda October 20, 2015 — Action

6. Approval of the minutes of the October 13, 2015 meeting — Action

7. Discussion and approval of claims

8. Human Resources – Ed Gilliland
   a. Approval of Memorandum of Personnel Transactions — Action
   b. Presentation of PERB Ruling — Information

9. Board of Supervisors – Jeremy Taylor
   a. One additional trainer for True Speak — Action
   b. Property tax relief resolution — Information

10. Board Administration – Karen James
    Approval of Resolution for Notice of Property Sale Parcel #178905 — Action

11. Planning/Zoning – John Pylelo
    a. Resolution Accepting and Approving the Final Platting for Water Dog Addition (a minor subdivision) and authorizing Chairman's signature; GIS Parcel #874811300010 — Action
    b. Consideration and referral of final platting to Zoning Commission for public hearing and recommendation for ZM Addition – a minor subdivision; GIS Parcel #884729127001 — Action

12. Secondary Roads – Mark Nahra
    a. Consider approval of an agreement with the City of Salix for repaving county route K25, or Poplar Street, from I-29 interchange to Old Hwy 75 — Action
    b. Consider approval of a federal aid participation agreement for project STP-CO97(127)—5E-97 for repaving county route K25, or Poplar Street From I-29 interchange to Old Hwy 75 — Action
    c. Consideration of permit for installation of underground electric lines within the Highway Right of Way for MidAmerican Energy on 225th Street — Action

13. Board of Supervisors – Jeremy Taylor
    a. Siouxland District Health CIP item — Information
    b. Prairie Hills closure and LEC expansion — Action

14. Reports on committee meetings — Information

15. Citizen's Concerns — Information

16. Board Concerns and Comments — Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

TUESDAY, OCTOBER 20	**4:30 p.m.**	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
WEDNESDAY, OCTOBER 21	**12:00 noon**	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202, Sioux City, Iowa
	10:00 a.m.	Senior Center Board of Directors Meeting, 313 Cook Street
MONDAY, OCTOBER 26	**6:00 p.m.**	Zoning Commission Meeting, Board of Supervisors' Chambers
	7:30 p.m.	Fair Board Meeting, Woodbury County Fair Office, Fairgrounds, Moville, Iowa.
TUESDAY, OCTOBER 27	**1:30 p.m.**	Sioux Rivers Regional Governance Board Meeting, Plymouth County Courthouse Annex Building, 215 4th Ave. S.E., Le Mars
MONDAY, NOVEMBER 2	**5:00 p.m.**	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
	6:00 p.m.	Board of Adjustment meeting, Board of Supervisors' Chambers
TUESDAY, NOVEMBER 3	**4:45 p.m.**	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
WEDNESDAY, NOVEMBER 4	**12:00 noon**	District Board of Health Meeting, 1014 Nebraska St.
THURSDAY, NOVEMBER 5	**5:00 p.m.**	Conservation Board Meeting, Dorothy Pecaut Nature Center Stone Park
WEDNESDAY, NOVEMBER 11	**8:05 a.m.**	Woodbury County Information Communication Commission, Board of Supervisors' Chambers
	6:30 p.m.	911 Service Board Meeting, Public Safety Center, Climbing Hill
	8:00 p.m.	County's Mayor Association Meeting, Public Safety Center, Climbing Hill
THURSDAY, NOVEMBER 12	**7:00 p.m.**	Siouxland Mental Health Center, Board Meeting, 625 Court Street
	12:00 p.m.	SIMPCO Board of Directors, 1122 Pierce St, Sioux City, Iowa
TUESDAY, NOVEMBER 17	**4:30 p.m.**	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
WEDNESDAY, NOVEMBER 18	**12:00 noon**	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202, Sioux City, Iowa
	10:00 a.m.	Senior Center Board of Directors Meeting, 313 Cook Street
THURSDAY, NOVEMBER 19	**11:00 a.m.**	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St., Sioux City, Iowa

Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

#1

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ

Date: October 16, 2015

Weekly Agenda Date: October 20, 2015

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Joshua Widman, Assistant County Attorney

SUBJECT: Closed Session

ACTION REQUIRED:

Approve Ordinance ☐	Approve Resolution ☐	Approve Motion ☐
Give Direction ☐	Other: Informational ☐	Attachments ☐

WORDING FOR AGENDA ITEM: closed Session under Iowa Code 21.5(1)(c).

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:

Approved by Board of Supervisors March 3, 2015. Revised May 5, 2015.

#2

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) R

Date: 10-15-15

Weekly Agenda Date: 10-20-15

DEPARTMENT HEAD / CITIZEN: Ed Gilliland

SUBJECT: Closed Session

ACTION REQUIRED:

Approve Ordinance ☐	Approve Resolution ☐	Approve Motion ☒
Give Direction ☐	Other: Informational ☐	Attachments ☐

WORDING FOR AGENDA ITEM: Closed Session 21.5 (1)(c).

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDATION:

ACTION REQUIRED/PROPOSED MOTION:

Approved by Board of Supervisors March 3, 2015.

#6

OCTOBER 13, 2015 — FORTYFIRST MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, October 13, 2015 at 4:30 p.m. Board members present were Clausen, Monson, Ung, Taylor and Smith. Staff members present were Karen James, Board Administrative Coordinator, Dennis Butler, Finance/Operations Controller, Ed Gilliland, Human Resources Director, Gloria Mollet, Assistant Human Resources Director and Patrick Gill, Auditor/Clerk to the Board.

1. The meeting was called to order – Pledge of Allegiance to the Flag – Moment of Silence.

2. During citizen concerns, Pat Kreisler, 1444 210th St. expressed concerns regarding a zoning violation.

3. Motion by Taylor second by Ung to approve the Agenda for October 13, 2015. Carried 5-0. Copy filed.

4. Motion by Taylor second by Ung to approve the minutes of the October 6, 2015 Board meeting. Carried 5-0. Copy filed.

5. Motion by Ung second by Clausen to approve the claims totaling $460,293.14. Carried 5-0. Copy filed.

6a. Motion by Smith second by Ung to approve the reclassification of Dawn Lafave, Civilian Jailer, County Sheriff Dept., effective 10-31-15, $18.19/hour, 4%=$.71/hour. Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2. Carried 5-0. Copy filed.

6b. Motion by Ung second by Clausen to receive a Lithograph of the Constitution. Carried 5-0. Copy filed.

7. Motion by Ung second by Taylor to receive the Veteran Affairs Quarterly report. Carried 5-0. Copy filed.

8. Motion by Clausen second by Taylor to approve and authorize the Chairperson to sign a resolution for tax suspension for Sally Behning, parcel #894721227018, 1115 27th St., Sioux City. Carried 5-0. Copy filed.

WOODBURY COUNTY, IOWA
RESOLUTION #12,283
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES

WHEREAS, Sally R. Behning, is the titleholder of property located at 1115 – 27th Street, Sioux City, IA, Woodbury County, Iowa, and legally described as follows:

Parcel # 8947 21 227 018

BOULEVARD PARK LOT 17 BLK 3

WHEREAS, Sally R. Behning, is the titleholder of the aforementioned properties have petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2009 Iowa Code section 427.9, and

WHEREAS, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

SO RESOLVED this 13th day of October, 2015.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

9. Motion by Smith second by Clausen to approve an application for a 12-month, Class B Native Wine Permit with Sunday sales for Chet's Moville Market, effective 11/12/15 through 11/16/15. Carried 5-0. Copy filed.

10c. Bid letting was held at 4:40 p.m. for PCC patching 2015. The bids were as follows:

Ten Point Construction, Denison, IA	$94,650.00
Cedar Falls Construction, Waterloo, IA	$122,840.50

Motion by Clausen second by Taylor to receive the bids and to approve the recommendation of the County Engineer to award the contract to Ten Point Construction of Denison, IA. Carried 5-0. Copy filed.

10a. Motion by Smith second by Taylor to approve a permit to work in the Highway Right of Way for CenturyLink to relocate fiber optic facilities within the right of way. Carried 5-0. Copy filed.

10b. Motion by Clausen second by Ung to approve a permit to work in the Highway Right of Way for CenturyLink to relocate fiber optic facilities within the right of way. Carried 5-0. Copy filed.

11. Reports on committee meetings.

12. Citizen Concerns.

13. Board concerns and comments

The Board adjourned the regular meeting until October 20, 2015.

Meeting sign in sheet. Copy filed.

#8a

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ

Date: 10-15-15

Weekly Agenda Date: 10-20-15

DEPARTMENT HEAD / CITIZEN: Ed Gilliland

SUBJECT: Memorandum of Personnel Transactions

ACTION REQUIRED:

Approve Ordinance ☐	Approve Resolution ☐	Approve Motion ☒
Give Direction ☐	Other: Informational ☐	Attachments ☒

WORDING FOR AGENDA ITEM: Approval of Memorandum of Personnel Transactions

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDATION:

ACTION REQUIRED/PROPOSED MOTION: Motion to Approve the Memorandum of Personnel Transactions

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: October 20, 2015

*** PERSONNEL ACTION CODE:**

A- Appointment	R-Reclassification
T - Transfer	E- End of Probation
P - Promotion	S - Separation
D - Demotion	O - Other

TO: WOODBURY COUNTY BOARD OF SUPERVISORS

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Anson, Tawnya	Social Services	10-23-15	Case Manager			S	Resignation.
Fields, Kayse	Social Services	10-23-15	Case Manager			S	Resignation.
Oldenkamp, Cheryl	Social Services	10-23-15	Case Manager			S	Resignation.
Menard, Brandy	Social Services	10-30-15	Case Manager			S	Resignation.
Huffman, Earlina	Social Services	10-30-15	Case Manager			S	Resignation.
Johnston, Forrest	Secondary Roads	11-01-15	District Foreman	$64,498/year	2%=$1,330/yr	R	Per Wage Plan Matrix, from Step 4 to Step 5.

APPROVED BY BOARD DATE: _____

GLORIA MOLLET, ASST. HR DIRECTOR Gloria Mollet

WOODBURY COUNTY

HUMAN RESOURCES DEPARTMENT

TO: Board of Supervisors and the Taxpayers of Woodbury County

FROM: Ed Gilliland, Human Resources Director
Gloria Mollet, Human Resources Assistant Director
gmollet

SUBJECT: Memorandum of Personnel Transactions

DATE: October 20, 2015

For the October 20, 2015 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

1) Social Services (5) Case Managers, Resignations.
2) Secondary Roads District Foreman, Wage Plan Matrix from Step 4 to Step 5.

Thank you

#8b

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) F

Date: 10-15-15

Weekly Agenda Date: 10-20-15

DEPARTMENT HEAD / CITIZEN: Ed Gilliland

SUBJECT: Presentation of Public Employment Relations Board Ruling

ACTION REQUIRED:

Approve Ordinance ☐	Approve Resolution ☐	Approve Motion ☐
Give Direction ☐	Other: Informational ☒	Attachments ☒

WORDING FOR AGENDA ITEM: Presentation of PERB Ruling.

EXECUTIVE SUMMARY:

BACKGROUND: We have discussed the PERB Rulings and its affect on our Courthouse Security. It was brought to my attention that the actual ruling itself may not have been presented to the Board. We are now officially bringing the PERB ruling before the Board.

FINANCIAL IMPACT:

RECOMMENDATION:

ACTION REQUIRED/PROPOSED MOTION:

Approved by Board of Supervisors March 3, 2015.

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF: WOODBURY COUNTY, Public Employer, and COMMUNICATIONS WORKERS OF AMERICA, LOCAL 7177, Certified Employee Organization/ Petitioner.	CASE NO. 8792
WOODBURY COUNTY, Public Employer, and AFSCME IOWA COUNCIL 61, Certified Employee Organization/ Petitioner.	CASE NOS. 8794 & 8795

RECEIVED
2015 JUN -8 PM 2:06
PUBLIC EMPLOYMENT
RELATIONS BOARD

DECISION AND ORDER

On September 14, 2014, Communications Workers of America, Local 7177 (CWA) filed an amendment of bargaining unit petition with the Public Employment Relations Board (PERB or Board) pursuant to Iowa Code section 20.13 and PERB rule 621–4.6(20) (Case No. 8792). The petition seeks to amend an existing CWA-represented bargaining unit of Woodbury County civilian process servers and detention officers (jailers) to include "courthouse safety and security officers" (CH safety/security officers).

On October 1, 2014, the American Federation of State, County and Municipal Employees/Iowa Council 61 (AFSCME) concurrently filed two petitions with PERB pursuant to Iowa Code section 20.13 and PERB rules

621–4.6(20) and 4.7(20) (Case Nos. 8794 & 8795). The first petition seeks clarification of whether the "courthouse safety and security officers" are included in an existing AFSCME-represented bargaining unit of Woodbury County employees, including, but not limited to secretarial, clerical, technical, and custodial employees. Should it be determined that the position is not within the existing unit, the second petition alternatively seeks an amendment of that AFSCME-represented unit to specifically include "courthouse safety and security officers." The County supports the inclusion of the CH safety/security officers in the AFSCME unit.

By order, dated October 7, 2014, PERB consolidated the three petitions for hearing, which was held on November 19, 2014 before the Board. Douglas L. Phillips appeared for the County, Stanley M. Gosch for CWA, and Preston DeBoer for AFSCME. All three parties filed post-hearing briefs, the last of which was received on December 19, 2014.

Pursuant to Iowa Code section 17A.14(4), official notice was taken of the original PERB certification and bargaining unit description and all subsequent amendments for the CWA-represented unit in PERB Case Nos. 46/118/470, 470, 1955, 3586, 8018, 8034, 8050, and 8260; and for the AFSCME-represented unit in PERB Case Nos. 3337 and 3661.

FINDINGS OF FACT

Woodbury County is a public employer within the meaning of Iowa Code section 20.3(10). The two petitioners, CWA and AFSCME, are certified employee organizations within the meaning of Iowa Code section 20.3(4) and

represent their respective units of County employees for the purposes of collective bargaining.

The County is managed by a board of supervisors. A sheriff's department is responsible for the County's law enforcement and security of County buildings, including the courthouse. The sheriff is also responsible for the security of the County's district court, which has its courtrooms on the courthouse's second floor. The board of supervisors manages the operations of the courthouse.

In August of 2014, the County changed the security for its courthouse by closing all public access entries except for a main entry on the first floor and requiring public entrance through a metal detector and item screening by way of an x-ray machine. In conjunction with the change, the County hired seven part-time employees as CH safety/security officers to man the metal detector and x-ray machine at the courthouse entrance. These employees are the subject of the respective petitions filed by CWA and AFSCME.

CWA

CWA currently represents a bargaining unit of County employees who are employed with the sheriff's department and is comprised of non-sworn civilian officers. CWA seeks to amend this unit of non-sworn civilian officers to include the newly hired CH safety/security officers. Originally, in 1976, this bargaining unit consisted only of the sheriff's deputies, but no civilian employees. In 1982, PERB amended the unit to include civilian officers in the job classifications of "civilian process servers" and "detention officers (jailers)"

(Case No. 1955). The unit's certified representative changed to CWA in 2008 (Case No. 8018). Later that year, the sheriff's deputies were amended out of the unit and into their own unit (Case Nos. 8034 & 8050). CWA has since been the certified representative of the unit of sworn deputies and the unit of non-sworn civilian officers. The civilian officer bargaining unit is described as follows:

> INCLUDED: All civilian process servers and detention officers (jailers).
>
> EXCLUDED: Sheriff; supervisory sheriff's deputies; jail commander; jail supervisors; first, second, third and fourth class deputy sheriffs, including the deputy clerk matron and those excluded by section 4 of the Act.

The parties' current collective bargaining agreement (CBA), Article I, Definitions, describes the civilian officers who comprise this unit as follows:

> *Section 10*–The words "Civilian Officers" as used throughout this contract shall refer to court security staff, transport officers, corrections staff, electronic monitoring and civilian process servers. (The purpose of this section is to recognize the fact that certified peace officers employed by the County are no longer governed by this contract . . .)

There are two divisions of civilian officers in the sheriff's department: corrections (jail) and court security/transport. The civilian officers wear a uniform, carry a weapon while on duty, are subject to both the County and sheriff's policies and procedures, are supervised by ranking officers and have promotional opportunities within the sheriff's department. The wages, benefits and similar matters for the civilian officers are covered by the CBA negotiated between the County and CWA.

CWA alleges that the newly hired CH safety/security officers have duties and responsibilities similar to the CWA-represented court security staff known as "court security officers." Court security officers were first referenced in the 1989-1992 CBA in hours of work and wage rates sections. All subsequent CBAs have continued to reference "court security officers" as part of the CWA civilian officer unit.

Currently, there are eight full-time court security officers who work in the court security/transport division. Court security officers are not required to have law enforcement certification, but are required to have knowledge of court procedures and law enforcement. They must be able to communicate with others, write routine reports, and handle unusual situations of stress or pressure. While some civilian officers, such as those in corrections, presumably work nights, the court security officers work Monday through Friday from 8:00 a.m. to 4:30 p.m.

The court security officers' job description dates back to 1984 and in the most recent description, the duties include, in part: carry out District Court orders; escort and maintain control of prisoners for court proceedings; assist with court activities; assist with court security and inspection of courtrooms; assist judges; serve papers and arrest warrants; and transport individuals who are in the sheriff's care and custody.

The court security officers perform these duties during regular business hours in three County buildings where court proceedings take place. These buildings are located on the same city block. The Trosper-Hoyt building is

located on the north end of the block and has two courtrooms on its second floor for family law matters. The primary building, the courthouse, is on the south end of the block. The sheriff is responsible for the security of the County's district court, which is on the courthouse's second floor with five courtrooms for its civil and criminal proceedings. The courthouse's remaining floors house other County offices: building maintenance, the auditor's office, treasurer's office, recorder and registrar's offices are in the basement; the clerk of court is on the first floor; the county attorney's offices are on the third, fourth, and six floors; the city assessor's office is on the fifth floor; and human resources (HR) and the county assessor's office are on the seventh floor. The law enforcement Center (LEC) is located across the street from the courthouse and presumably houses the sheriff's office. The LEC has four courtrooms on its first floor where, typically, arrests from the prior evening are processed.

Since at least 1994, the sheriff had recommended that the County change its security at the courthouse by closing all, but the main entrance and hiring additional civilian officers to maintain a presence and security at the courthouse on a full-time basis. However, budget constraints prevented the hiring of additional security personnel. In January 2006, the sheriff dedicated a full-time court security officer to rove and patrol all three County buildings and provide security at the courthouse courtrooms as requested by judges or court administrators. Prior to this permanent assignment, the CWA-represented civilian officers took turns patrolling the three County buildings to show a security presence and assist when needed. Also, until 2014, the court

security officers performed security screening on the courthouse's second floor when requested by judges or court administration for high-profile court proceedings. As part of this screening, they set up and operated the County's mobile walk-through metal detector and x-ray machine for item screening to check for weapons or dangerous contraband. As part of the courthouse security changes made in August 2014, the metal detector and x-ray machine were moved to the first floor main entrance and are now manned by the newly hired CH safety/security officers. The civilian court security officers also respond to disturbance or assistance calls originating from any County office in the courthouse during business hours. At the request of the board of supervisors, the court security officers provide security at after-hour events such as election activities.

Kevin Horsley has been the court security officer assigned by the sheriff to provide security for the three County buildings on a full-time basis. Horsley roves and patrols the buildings, as well as all the courthouse floors to show a presence. He responds to calls for assistance from any of the courthouse offices or judges or court administrators. Since 2010, he has provided security for the board of supervisors' weekly meetings. Horsley is not certified by the Iowa Law Enforcement Academy (ILEA) and does not have arrest powers.

AFSCME

In its petition, AFSCME seeks clarification whether the newly hired CH safety/security officers are a part of an existing unit of secretarial, clerical, technical, custodial, and other administrative-type County employees who

AFSCME has represented since 1987. Alternatively, AFSCME seeks to amend the unit to include the CH safety/security officers. The mixed unit was originally determined in PERB Case No. 3337 and was amended in 1988, PERB Case No. 3661, to include additional positions. The AFSCME-represented unit is described as:

> INCLUDED: Secretarial, clerical, technical, and custodial employees; Safety Officer, Administrative Assistant to Zoning Administrator, Mail Room Clerk, Clerk/Typist-General Relief, Bookkeeper-Sheriff's Department, Secretary-Sheriff's Department, and Clerical/Dictaphone Operator-Sheriff's Department.
>
> EXCLUDED: Board Secretary, Secretary-Veterans Affairs, Secretary-Engineering Department, Bookkeeper Systems Analyst, Deputy Commissioner of Elections, Data Systems Analyst, First Deputy Treasurer-Motor Vehicle, First Deputy Recorder, Social Worker, Day Foreman, Night Foreman, First Deputy Auditor, all employees included in the Fraternal Order of Police bargaining unit, all employees included in the Communication Workers of America bargaining unit, supervisors, elected officials, and all others excluded by th Act.

AFSCME contends that employees in this unit have provided courthouse security since 1987 when the first CBA was negotiated between AFSCME and the County. Specifically, AFSCME alleges that the safety officer, night security guard and custodian have all provided courthouse security. However, the County's HR director testified that none of the AFSCME positions listed in the parties' CBA perform security. Additional evidence consists of position descriptions that show the essential duties and responsibilities of the night security guard and the custodian. The record is absent of evidence reflecting the duties of the safety officer.

Although the night security guard is not listed in the unit description, the parties do not dispute its inclusion in the AFSCME unit. The basic function of the night security guard is "[r]esponsib[ility] and accountab[ility] for the security inspection of the County Courthouse including electrical or plumbing emergencies as well as protection against break-ins and light janitorial duties." This position was initially under the supervision of the County auditor, but is now under the supervision of the building superintendent. The night security guard's specific security-related duty is to "[check] to see that all windows are closed and all doors are locked."

The custodian's primary duties are janitorial and maintenance. The custodian is supervised by the building superintendent and assistant superintendent. Since the position's creation in 1989, the custodian's duties parallel the County's "objectives for cleanliness, image and health." The custodian cleans the County's buildings, operates cleaning machinery, maintains adequate supply of paper and soap in the restrooms, and checks that all lights and electrical pots are turned off. The specific security-related duty of the custodian is "[responsibility] for leaving offices and buildings properly locked and secured." Since 2007, the custodian also has a duty to assure "windows are closed and locked and all areas are secure from outside intrusion." The minimum education and experience requirements for the custodian are tied to knowledge of janitorial procedures, the ability to operate various cleaning machines, and ability to read and understand labels on various cleaning chemicals. There are no obvious security-related educational

or experience requirements for this position. While presumably AFSCME's focus is on the custodian who works at the courthouse, it is logical to assume that there are other unit custodians who clean the other County buildings and work various shifts.

The AFSCME bargaining unit consists of classifications that report to several different departments or administrators, including the sheriff's department, building services superintendent, the zoning administrator and the board of supervisors. Some unit employees work a standard workweek, 8 a.m. to 4:30 p.m., in various offices in the courthouse. Yet other unit employees presumably work at other County buildings, such as the sheriff's office. They are all subject to the County's employee handbook and presumably supervised by managers and administrators at their respective offices. Their wages, benefits and other similar matters are covered under the County and AFSCME's CBA.

New CH Safety/Security Officers

When the County contemplated its change of security measures for the courthouse and hiring of CH safety/security officers, there was an internal disagreement as to whether the officers would report to the sheriff or to the board of supervisors. For reasons unknown and whether it was tied to unit placement, the latter option was $70,000 cheaper. Based primarily on cost consideration, the board of supervisors determined that the newly hired CH safety/security officers would report to them and be included in the AFSCME-represented bargaining unit. The board of supervisors did not notify or attempt

to bargain with CWA regarding the new employees. The County negotiated a letter of agreement (LOA) with AFSCME on behalf of the new CH safety/security officers. The LOA outlines the job classification, pay grade, wages, paydays, and seniority for the new officers until the parties negotiate a successive CBA and include the new officers in it.

The County hired a new courthouse safety/security supervisor in July of 2014 and hired the seven part-time CH safety/security officers on or about August 15, 2014. According to the job description, these officers are responsible for "the safekeeping and welfare of all citizens and employees within the Woodbury County Courthouse including safety and security of all those entering and assisting in other responsibilities as necessary." Essential duties include providing security for the entrance of the courthouse, working with scanners and other security related equipment and tools, and performing searches of employees or visitors to locate any contraband or unlawful items. They use the same x-ray machine and metal detector previously utilized by the court security officers. They respond to calls for assistance from any of the offices in the courthouse.

CH safety/security officers work only in the courthouse. They are managed by the courthouse safety/security supervisor, the HR director, and the board of supervisors. They are subject to the County's work policies and procedures. They work part-time, in five-hour shifts on Monday through Friday, from 7:00 a.m. to 5:00 p.m. In limited instances, they work an evening or weekend to cover special activities in the courthouse, such as Veteran's Day

celebration or planning and zoning functions. They wear a work uniform consisting of gray slacks, a white mock turtleneck and a blue blazer. The CH safety/security officers carry a gun while on duty and have hand-held wands to search people entering the courthouse. The new officers must be certified to carry a weapon, but they are not certified or sworn officers and do not have arrest powers. They do have knowledge of law enforcement procedures and applicable laws, and the ability to communicate with others, write routine reports, and handle unusual situations of stress or pressure.

CONCLUSIONS OF LAW

AFSCME's petition in Case No. 8794 seeks clarification concerning whether the CH safety/security officers are presently included within the AFSCME-represented unit. Alternatively, in Case No. 8795, AFSCME seeks to amend the existing unit to add the CH safety/security officers if it is found that the position is not presently included in the unit. In Case No. 8792, CWA seeks to amend its civilian officer unit to include the CH safety/security officers.

The clarification and amendment proceedings have different functions. The amendment of unit proceeding facilitates prospective adjustments in the composition of the bargaining unit while the unit clarification proceeding discerns the inclusion or exclusion of job classifications or employees in the unit as presently constituted. *Hawkeye Cmty. Coll. & United Elec., Radio & Mach. Workers of Am.*, 02 PERB 6310, 6312, and 6321 at 9; *E. Iowa Cmty. Coll. Higher Educ. Ass'n & E. Iowa Cmty. Coll. Dist.*, 82 PERB 2110 at 3.

I. Clarification of AFSCME Unit.

In a unit clarification proceeding, the first step is to determine whether the position at issue is "encompassed by the wording of the present bargaining unit description." *E. Iowa Cmty. Coll. Higher Educ. Ass'n*, 82 PERB 2110 at 3. If the description unambiguously includes or excludes a position at issue, the inquiry ends. *Id.* at 3-4. However, if the unit description is ambiguous with regard to the position's status then examination of other probative factors is required. *Id.* at 4. PERB has set forth the following guidance with respect to probative factors:

> . . . attention is turned to other factors which might be probative of whether the position falls within the determined unit, including such matters as whether it has traditionally been treated as such, whether similar positions or persons who perform similar duties are included in the unit, and like factors. But again, the focus is on those matters probative of whether the position is and has been in the bargaining unit, not whether it should be or should have been placed in the bargaining unit.

Id.

In the case at hand, the CH safety/security officer is not unambiguously included or excluded in the description of the AFSCME-represented unit. The text of the unit description does not include reference to "courthouse safety and security officer." Thus, the CH safety/security officer positon is not encompassed by the wording of the present bargaining unit description. Although the unit description references "Safety Officer," it is ambiguous whether that position includes the CH safety/security officer. On its face, "Safety Officer" can have multiple meanings – it can be interpreted to refer to duties related to health and safety or related to order and security. Without

further probative evidence, its ambiguous meaning precludes a determination that "safety officer" includes the CH safety/security officer. Therefore, the description of the AFSCME-represented unit does not unambiguously include or exclude CH safety/security officers and requires the examination of other probative factors.

Other probative factors indicate that the CH safety/security officers are not and have not been included in the AFSCME-represented unit. One such other factor considered is that the parties have not traditionally treated the CH safety/security officers as within the AFSCME unit. The parties have treated the CH safety/security officers as newly created positions. The position was given a new job title, different from other County positions, and the County hired new employees to fill the positions. The County and AFSCME negotiated a LOA for the new officers because they did not consider them included in their current CBA. Thus, the position of CH safety/security officer did not previously exist to have been traditionally treated as within the AFSCME unit.

Another factor considered is whether the CH safety/security officers share similarities with AFSCME-represented unit positions to such an extent that they were substantively in the unit due to the nature of their work although not specifically referenced by title or job classification in the unit description. On this basis, AFSCME alleges that its unit includes employees who perform security and as a result, would include the new officers. The CH safety/security officers' inclusion based on this theory is not persuasive. The AFSCME unit employees, specifically "custodians," "security guard" and "safety

officer," share few, if any, similar security duties as the CH safety/security officers.

With respect to the "safety officer" position, the record is absent of evidence to make any determinations. As to the other AFSCME positions alleged to be similar, the custodian and security guard do not have substantive security duties similar to the CH safety/security officers' duties. While the custodians and security guards have a specific duty to ensure the courthouse doors and windows are locked after courthouse hours, their primary functions are related to janitorial or maintenance duties, not security. Based on their position descriptions, if all their non-security duties were eliminated, the positions of the custodian and night guard would likely not exist. As the HR director indicated, AFSCME unit employees do not perform security. For these reasons, the CH safety/security officers are not so similar to AFSCME-represented employees to conclude that the officers are presumably a part of the unit. If anything, the CH safety/security officers are very similar to employees belonging to another unit represented by CWA, the court security officers. This last factor indicates that the CH safety/security officers are not a part of the AFSCME-represented unit.

The evidence does not support a finding that the CH safety/security officers have traditionally been treated by the parties as within the present AFSCME-represented bargaining unit or the existence of any other factor indicative of their inclusion in that unit. Based on the record, the CH

safety/security officers are not and have not been in the presently constituted AFSCME bargaining unit.

II. Amendment of AFSCME Unit or CWA Unit.

Having concluded that the CH safety/security officers are not presently in the AFSCME unit, the Board must determine the appropriate unit placement for the officers. Each of the unions requests the Board to amend its respective unit to include the CH safety/security officers. In determining the appropriate unit, Iowa Code section 20.13(2) provides, in relevant part:

> . . . the board shall take into consideration, along with other relevant factors, the principles of efficient administration of government, the existence of a community of interest among public employees, the history and extent of public employee organization, geographical location, and the recommendation of the parties involved.

The analysis of section 20.13(2) is done on a case-by-case basis with consistency in reasoning and weighing of factors leading to a unit determination tailored to fit the particular facts of each case. *Anthon-Oto Cmty. Sch. Dist. v. PERB*, 404 N.W.2d 140, 144 (Iowa 1987). Although all factors must be considered, weight is given to those factors deemed most relevant under the circumstances. In this case, the analysis of the section 20.13(2) factors weigh in support of the Board's amendment of the CWA-represented unit to include the CH safety/security officers.

A. Principles of Efficient Administration of Government.

The section 20.13(2) "efficient administration of government" factor is of no import in either of the proposed amendments. This factor requires the designation of fewest units as possible consistent with the employees' rights to

form organizations of their own choosing to represent them in a meaningful and effective manner. *Anthon-Oto Cmty. Sch. Dist.*, 404 N.W.2d at 143; *City of West Des Moines & West Des Moines Ass'n of Prof. Firefighters, Local 3586 & Devon Sadler, et al.*, 10 PERB 8043 at 12; *City of Lake Mills & Int'l Bbd. of Elec. Workers, Local 204*, 96 PERB 5499 at 6-7. In the present case, this factor is of no significance because it involves the amendment of an existing unit, whether it is the AFSCME or CWA unit, and does not result in the creation of additional units. The County and AFSCME's assertion that the placement of the officers in the CWA unit will cost additional money is irrelevant to this factor. Also irrelevant to this factor is the board of supervisors' authority over the officers. For the "efficient administration of government" factor, consideration is given to the efficiencies offered by *fewer units*. *Anthon-Oto-Cmty. Sch. Dist.*, 404 N.W.2d at 143. This is not an issue in this case. Thus, "efficient administration of government" weighs equally for both of the proposed unit amendments.

B. Community of Interest.

The "community of interest" factor supports the amendment of the CWA unit. The analysis of community of interest requires the determination of the existence of similarities of the relevant positions for appropriate unit placement. *See, e.g., Anthon-Oto Cmty. Sch. Dist.*, 404 N.W.2d at 143. The Board has held that this requires the examination of such matters as duties, skills, training and qualifications, methods of compensation, benefits, hours of work, common supervision, employee contact with other employees, and transfers among the classifications or positions to be included in the

bargaining unit, and existence or absence of common personnel policies. *See, e.g., Dubuque Cmty. Sch. Dist. v. PERB*, 424 N.W.2d 427, 431 (Iowa 1988); *City of West Des Moines*, 10 PERB 8043 at 14; *State of Iowa (Regents) & Serv. Employees Int'l Union, Local 150*, 98 PERB 5834 at 14; *Des Moines Indep. Cmty. Sch. Dist. & Des Moines Educ. Ass'n*, 84 PERB 2498 at 8-9.

(1) Community of Interest with AFSCME-Represented Unit

AFSCME's assertion that a community of interest exists between the courthouse security officers and the AFSCME-represented employees is not persuasive. The AFSCME bargaining unit consists of classifications that report to several different departments or administrators, including the sheriff's department, building services superintendent, the zoning administrator and the board of supervisors. The AFSCME unit employees, including the positions asserted relevant by AFSCME (safety officers, night security guards, and custodians) do not share significant similarities with the CH safety/security officers to establish the existence of a community of interest.

First, with respect to duties, skills, training, and qualifications, there are few similarities between the CH safety/security officers and the AFSCME-represented safety officers, night security guards, and the custodians. There is no evidence regarding the safety officer position upon which to analyze its commonalities with the CH safety/security officers. The custodian position differs drastically from the new CH safety/security officer position in all material respects. The custodian's primary duties are janitorial and maintenance. Its responsibility for "*leaving* offices and buildings properly

locked and secured" (emphasis added) does not constitute a security-related responsibility similar to the level performed by the new CH safety/security officers who provide security at the courthouse entrance. The custodian's duties require the use of equipment, skills, training, and qualifications different from those required of the CH safety/security officers.

Regarding the night security guard's duties, this position's similarity to the new CH safety/security officers is negligible. The night security guard does not provide security while the courthouse is open to the public; its security duty is limited to ensuring doors and windows are locked at night. Additionally, the night security guard has light janitorial and maintenance duties. There is no evidence to indicate whether the skills, training and qualifications required of the night security guard are similar to those required of the CH safety/security officers. Both the custodian and the night security officer report to the building superintendent. These two AFSCME positions have greater differences than similarities with the new CH safety/security officers in the areas of duties, skills, training, qualifications, and supervision.

Second, in other matters, the number of similarities between the CH safety/security officers and the remaining AFSCME unit employees is limited. One commonality is that the CH safety/security officers are subject to the same County personnel policies as the AFSCME unit employees. The CH safety/security officers also have the same wage schedule and may be granted other benefits or rights that the AFSCME unit employees receive under their CBA. However, their common rights under the CBA are due to the County's

unilateral placement of the officers in the AFSCME unit. Accordingly, we give no weight to the similarities that exist as a result of their common coverage under the AFSCME and County CBA.

While the CH safety/security officers only work part-time, they work a standard workweek when the courthouse is open and during the same hours as AFSCME unit employees who work at the courthouse. Based on their hours and duties, presumably, the new officers interact with those AFSCME-represented employees. However, the CH safety/security officers do not interact with the AFSCME unit employees who work at other locations or those who work different hours. For instance, the new officers' hours are different than the night security guard who works nights and the custodians who work various shifts when the courthouse is both open and closed. In addition, the new officers' supervision differs from AFSCME unit employees.

In total, there are few similarities between the new CH safety/security officers and AFSCME unit employees. The similarities–common personnel policies, hours, work location and employee interaction–are insignificant. In the overall context, the new officers do not share common interests with the unit of secretarial, clerical, technical, custodial and administrative employees that establish the existence of a community of interest. Thus, the community of interest factor does not weigh in favor of the proposed AFSCME unit amendment.

(2) Community of Interests with the CWA Unit

A community of interest exists between the CWA bargaining unit and the CH safety/security officers. The CWA unit currently consists of several civilian job classifications that report to the County sheriff, including court security officers. The new CH safety/security officers are significantly similar to the CWA-represented court security officers in many material respects that establish a community of interest.

The duties of the court security officers and the new CH safety/security officers are designed to accomplish a common goal – providing security and safety for employees and members of the public while they are in the courthouse. The new CH safety/security officers limit access to individuals at the front entrance based on the security risk they pose to those in the courthouse. They operate the metal detector and x-ray machine for the purpose of discovering and preventing contraband and weapons that may be used against individuals in the courthouse, regardless whether the potential safety risk is against an inmate, an employee, or a member of the public. Additionally, the new officers typically patrol and respond to calls for assistance from offices or departments located at the courthouse.

Once people pass through the security manned by the new CH safety/security officers, the CWA-represented court security officers are tasked with providing security and responding to disturbance calls. The court security officers monitor activities on the second floor of the courthouse where the courtrooms are located, rove the courthouse, respond to disturbance calls, and

provide courtroom security. Significant also is that, before the courthouse changed its security measures in August of 2014, these CWA-represented officers previously provided the security screening that is now provided by the new CH safety/security officers. The fact that the court security officers provided the screening on the second floor is insignificant because the location change was due to the change in the courthouse's security measures. Regardless of location, the court security officers performed the same duty and used the x-ray machine and metal detector that are now used by the new CH safety/security officers.

The County and AFSCME's allegation that the new CH safety/security officers are customer service and public relations oriented rather than law enforcement is not persuasive. The CH safety/security officers were added to provide a higher level of screening at the courthouse's only entrance as part and parcel of the courthouse's ramped up security measures. It is true that in the performance of their duties the new officers are interacting with the general public who enter the courthouse for a multitude of reasons. However, the new CH safety/security officers are not acting as greeters; they search for weapons and contraband and prevent access to the courthouse if individuals pose a risk. Additionally, the new CH safety/security officers carry a weapon like the court security officers. They also have hand-held wands to search people entering the courthouse. While they may not wear a uniform similar in appearance to those of the court security officers, their required dress

distinguishes them as security. The new officers' duties are substantially similar to those of the court security officers in all material respects.

Moreover, the skills, training and qualifications for new CH safety/security officers are similar to those required for the court security officers. Neither position is required to be certified by ILEA. The new officers and all of the CWA unit employees are not sworn officers, but are civilians. However, both the new CH safety/security officers and the court security officers must have knowledge of law enforcement procedures and applicable laws. Both must have the ability to communicate with others, write routine reports and correspondence, and the ability to handle unusual situations of stress or pressure.

Although the new CH safety/security officers work part-time, they work a standard work week while the courthouse is open and during the same hours as the court security officers. Based on their duties to ensure court security, the new officers work hand-in-hand with the court security officers. The new CH safety/security officers also interact with the CWA civilian officers who escort inmates to and from the courthouse. They are subject to the same County policies and procedures as are all the CWA civilian officers. The new CH safety/security officers are not subject to the sheriff's policies and procedures and do not share the same supervision as the court security officers or receive similar wages and benefits. Nonetheless, some of these few differences are a product of the board of supervisors' placement of the new CH safety/security officers in the AFSCME unit. Comparison of criteria in the

present case discloses that the new CH safety/security officers have greater similarities than differences with the CWA unit employees. Additionally, the similarities are ones of significance such that the community of interest is demonstrably strong. Thus, the community of interest factor weighs in favor of amending the CWA unit to include the CH safety/security officers

C. Geographical Location.

The geographical location factor is of little value and weighs equally for both of the proposed unit amendments. This factor is not controlling where the principal work locations are within the same city and relatively close to each other. *See, e.g., Des Moines Water Works Bd. Of Tr. & Over the Road and City Transfer Drivers, Dockman and Helpers, Local 147*, 77 PERB 810 at 7.

In the case at hand, the courthouse is the CH safety/security officers' work location and, based on the record it is the principal work location for many employees belonging to both the AFSCME-represented unit and the CWA-represented unit. Although AFSCME and the County correctly note that the CWA unit employees work at other County locations, it has little bearing in this case when these County buildings are all in close proximity to one another. Unit placement based on building assignment or courthouse floor assignment would result in an undue proliferation of units. Moreover, the AFSCME-represented unit includes employees working at other County locations as well. There is no evidence to show that all AFSCME unit employees work at the courthouse; as AFSCME aptly asserts in its brief, the "majority" of AFSCME-represented employees work at the courthouse. For

instance, presumably the AFSCME-represented sheriff department's secretary and bookkeeper also work at the sheriff's office and not the courthouse. Therefore, both unit amendments would result in the same geographical distribution of represented employees. Thus, the geographical location factor weighs equally for both of the proposed unit amendments.

D. Recommendations of the Parties.

The recommendations of the parties involved are of little significance because the parties disagree as to the appropriate unit. *See, e.g., English Valleys Cmty. Sch. Dist. & English Valleys Educ. Ass'n*, 98 PERB 5739 at 9. When the parties are in agreement as to the appropriate unit, the Board will generally give controlling weight to this factor and likely approve any such stipulated agreement as long as the composition of the agree-upon unit is not plainly repugnant or inimical to the statute. *City of West Des Moines*, 10 PERB 8043 at 11; *Iowa Nurses Ass'n & AFSCME Iowa Council 61 & Spencer Mun. Hosp.*, 94 PERB 4749 & 4799 at 12.

Although here, the County as the employer supports the AFSCME proposed unit amendment, CWA disagrees and asserts that its amendment of unit is appropriate. In the absence of an agreement, the recommendations of the parties factor weighs equally for both of the proposed unit amendments.

E. History and Extent of Organization.

The remaining factor, history and extent of organization, weighs in favor of the CWA proposed unit amendment. PERB has indicated that the "extent of organization" requires consideration of the employees on which the union has

focused its organizing efforts and the employee interest in organizing. *City of West Des Moines*, 10 PERB 8043 at 19; *City of Boone & Boone City Employees Bargaining Org.*, 02 PERB 6454 at 11; *Iowa Nurses' Ass'n*, 94 PERB 4749 & 4799 at 19. While this factor is not controlling, it is given weight in finding a unit appropriate if that unit is supported by other section 20.13(2) factors. *Iowa Nurses' Ass'n*, 94 PERB 4749 & 4799 at 19-20. In this case, albeit the new employees' interest is unknown, both unions seek the new employees' inclusion in their respective existing units.

With respect to the extent of organization, both AFSCME and CWA (and CWA's predecessors) have long histories of bargaining with the County. However, the focus of their organizing efforts has differed. CWA has been the employee organization representative for employees performing security-related duties. The unit is comprised of civilian officers providing security in the courthouse and surrounding County buildings. Relevant is the fact that the new courthouse security officers share similar duties, skills, qualifications, and training with the court security officer, a position in the CWA unit since at least 1989. *See, e.g., City of Boone*, 02 PERB 6454 at 10-11. On the other hand, AFSCME's organizing efforts have been limited to clerical, technical, secretarial and custodial County employees. As such, the history and extent of organization factor weighs in favor of the CWA-proposed unit amendment.

SUMMARY

Based on the record, the section 20.13(2) factors, "efficient administration of government," "geographical location," and "recommendations

of the parties," weigh equally for both of the proposed amendments. However, we give greatest weight to the "community of interest" factor, which, along with "history and extent of organization," weighs in favor of amending the CWA unit to include the courthouse safety and security officers. Having examined the section 20.13(2) factors in light of the particular facts of this case, we conclude that CWA's petition for unit amendment should be granted.

Accordingly, we hereby issue the following:

ORDER

Case No. 8794: The courthouse safety and security officers have not been and are not a part of the AFSCME-represented unit originally determined in PERB Case No. 3337 and amended in Case No. 3661.

Case No. 8795: AFSCME's petition for amendment of bargaining unit is DISMISSED.

Case No. 8792: CWA's petition for amendment of bargaining unit is GRANTED.

The CWA unit, originally determined in PERB Case No. 470 and amended in Case Nos. 1955 and 8034, and the amendment of certification in PERB Case Nos. 3586 and 8018 and PERB Case No. 8260 to Communications Workers of America Local 7177, is amended as follows:

> INCLUDED: All civilian process servers, detention officers (jailers) and courthouse safety and security officers.
>
> EXCLUDED: Sheriff; supervisory sheriff's deputies; jail commander; jail supervisors; first, second, third and fourth class deputy sheriffs, including the deputy clerk matron and those excluded by Iowa Code section 20.4.

Because the classification of courthouse safety and security officer did not exist when CWA, Local 7177 was certified to represent the unit, and because a separate and distinct bargaining unit composed solely of courthouse safety and security officers would not constitute an appropriate unit under the criteria specified in Iowa Code section 20.13, PERB rule 621–4.6(20) does not require that a representation election be conducted in connection with this amendment and no representation election will be held.

DATED at Des Moines, Iowa this 8th day of June, 2015.

PUBLIC EMPLOYMENT RELATIONS BOARD

By: Michael G. Cormack
Michael G. Cormack, Chair

Janelle L. Niebuhr
Janelle L. Niebuhr, Board Member

Jamie V. Fossen
Jamie Van Fossen,Board Member

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#9a

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) RE

Date: October 13, 2015

Weekly Agenda Date: October 20, 2015

DEPARTMENT HEAD / CITIZEN: Supervisor Jeremy Taylor

SUBJECT: **One Additional Trainer True Speak**

ACTION REQUIRED:

Approve Ordinance ☐ Approve Resolution ☐ Approve Motion ☒

Give Direction ☐ Other: Informational ☐ Attachments ☐

WORDING FOR AGENDA ITEM: One Additional Trainer for True Speak

EXECUTIVE SUMMARY: During an engaging training October 6-7, 9 department heads or other leaders (elected officials) volunteered to engage in a 3-day "train the trainer" training in order to bolster evaluations, effective communications, and instill growth in Woodbury County. The recommendation was made that we have four individuals that the Chairperson will select in order to complete this excellent, organization-changing training.

BACKGROUND: The Board initially approved training for 3 individuals.

FINANCIAL IMPACT: $3,000

RECOMMENDATION: Given our 400 employees and the need of sustainability for an organization our size, I recommend one additional training.

ACTION REQUIRED: I move that the Board approve one additional trainer at the cost of $3,000 from gaming revenues.

#9b

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ

Date: October 13, 2015

Weekly Agenda Date: October 20, 2015

DEPARTMENT HEAD / CITIZEN: Supervisor Jeremy Taylor

SUBJECT: **Property Tax Relief Resolution**

ACTION REQUIRED:

Approve Ordinance ☐ Approve Resolution ☐ Approve Motion ☐

Give Direction ☐ Other: Informational ☒ Attachments ☐

WORDING FOR AGENDA ITEM: Property Tax Relief Resolution

EXECUTIVE SUMMARY: Based on the 2050 Vision, the Board was told that dedicated property tax relief could realize a range of 30-60% of total revenues from CF Industries. It is important for transparency to clarify what this means and for the Board to consider in the future what impact this will have on taxpayers. I have presented on two previous occasions on this topic and tonight's discussion is information only.

BACKGROUND: In a presentation that our Budget Analyst, Dennis Butler, gave with a document showing "50% of TIF Revenues," we have told the public that half of the monies may be dedicated to property tax relief. The reality is that TIF Revenues can be used 100% toward development because we do not release the increment to the other taxing bodies. However, when we use the term "property tax relief," we can only provide that for the County as a taxing body, e.g. 39-43.43%. This means that the reality of the model skews the property tax relief number down.

Per the previous recommendations, I have had Dennis Butler, our Budget Analyst, run numbers at 30%, 40%, 50%, and 60% of property tax relief. **I am recommending that the Board approve a resolution stating that 50% of CF Industries revenue be dedicated to property tax relief.**

"The county has made it clear from day one they want to see property tax relief and identify key infrastructure projects," [Terry] Lutz said, "working with all cities in the county to see if they can leverage their new ... revenues to grow the pie even greater." (***Sioux City Journal***, October 15, 2014)

Candidates on both sides of the aisle ran on platforms dedicating CF Industries Revenues to property tax relief. The Board Chair prior to 2015 made clear that some portion was to be used for property tax relief. While the Board has not formally adopted a percentage plan for dedicating tax increment financing, there is no need to set a minimum or maximum for TIF: the Iowa Code mandates without project obligations that taxes be released to the respective taxing bodies, e.g. Woodbury County, Sergeant Bluff School, WIT, the County Assessor, Ag Extension, and Liberty Township.

In previous discussions, Board members have had three counter-positions, which I do not take as opposition but as thoughtful: 1) What is the effect of such a resolution or stated percentage if it cannot bind a future board? 2) What if there is a large economic development opportunity that requires a greater investment of revenue that would further grow the tax base? 3) How much property tax relief will make a difference?

Response to #1: The point is well-taken that no current Board can bind a future Board, but the resolution is dedicated to set a goal, which is the point of all policy. No policy or guideline has the effect of law currently upon ourselves but is rather "a course or principle...adopted by a government."

Response to #2: Therefore, if some large economic development project presented itself before the Board, the public would weigh whether the Board's commitment was outweighed by the opportunity to further grow the tax base and could very well understand. If they did not agree, they would inevitably hold the Board accountable.

Response to #3: Taxes tend to go up as matter of course on the federal, state, and local level. Only government sees "incremental increases" and believes that it can better spend money than its own public can. This will also complement this last year's dedicated budget process of lowering tax askings for the first time in 15 years. In other words, it is a rarity to actually lower the levy rate *and* tax askings and this effort can be supplemented so that there are more in our local family budgets than in the county budget. The bonus is that as this is new growth, this will not come with a reduction in needed services.

The real key is the restraint and moderation by which the county dedicate first and foremost how much will be given back to taxpayers. Given that the Vision 2050 plan calls for 30-60% dedicated to property tax relief, it is reasonable to set 50% as the guideline. This will also clearly communicate to various entities, e.g. rural communities, who approach the Board with potential TIF projects to realistically gauge the available funding. For example, we recently had a request of $8.2 million, which if this resolution was adopted, would mean that such a request would be 100% of all funding through FY 2025, which would not be reasonable for a single project request.

The attached and first document in the Board packet clearly details this. It should be noted that this is a stagnant model assuming no growth but one that is very valuable for the future in that it sets a baseline.

FINANCIAL IMPACT: See attached sheets

RECOMMENDATION: The Board consider the information presented.

ACTION REQUIRED: None at this time. I will bring back the resolution next week for approval.

Resolution No._____

Woodbury County's Taxpayers First Resolution

Whereas CF Industries is the state of Iowa's largest capital investment to date of over $2 billion and has acted as an invaluable partner for the growth of the County and,

Whereas tax rates are high relative to surrounding Iowa counties and to Nebraska and South Dakota for reasons outside of the County's control and this has a direct impact on competitiveness regarding property taxes and subsequent economic development decisions on where people live and do business and,

Whereas at the time of the 2050 Vision plan formulation, McClure Engineering listed Woodbury County as the second highest County level among Iowa counties within 100 miles and,

Whereas growth has come with county investment in infrastructure, increased traffic, and the support of law enforcement and,

Whereas as the general cost of living increases, taxpayers deserve to know that of approximately $56 million in county revenue generated by CF Industries ($130 million total), that $1 out of every $2 at minimum will go to property tax relief for families and,

Whereas sound fiscal restraint means that government increasingly ought to live within its means and,

Whereas CF industries revenue is not generated until FY 2019 and the County has four dedicated projects in the areas using tax increment financing (CF Industries Entrance Rd; CF Industries On Site Road; AGP Road Port Neal Circle; and Dogwood Trail in Sergeant Bluff) and,

Whereas limited government calls for restraint and asks that the electorate hold public officials accounted even though such a resolution as this cannot legally bind future boards but functions as guiding policy to show the intent of the current Board,

Now therefore be it resolved that the Board of Supervisors will set as a guideline that in FY 2020 and beyond, 50% of all CF Industries revenue be dedicated to property tax relief and a statement be delivered annually to property taxpayers explaining publicly whether such money was dedicated to lowering the levy rate, offsetting mandated costs without increasing the levy, or dedicated to reserves.

Chairman of the Board _____ Date_____

Attested by Auditor_____ Date_____

Woodbury County Current and Projected TIF Financing Plans
Liberty Park Urban Renewal Area Amended
Plan 1 - 50% TIF Release

Urban Renewal District Revenues		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Source	Business														
TIF	CF Industries	-	-	-	549,236	1,235,780	1,785,016	2,471,561	3,020,796	3,570,032	4,256,577	4,805,812	5,492,357	6,041,593	6,590,828
TIF	Rail to Road		33,295	33,295	33,295	33,295	33,295	33,295	33,295	33,295	33,295	33,295	33,295	33,295	33,295
TIF	Other TIF Revenues	33,766	33,766	33,766	33,766	33,766	33,766	33,766	33,766	33,766	33,766	33,766	33,766	33,766	33,766
TIF	Reimbursement from Sergeant Bluff*	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Total TIF Revenues	33,766	67,061	67,061	616,297	1,302,841	1,852,077	2,538,622	3,087,857	3,637,093	4,323,638	4,872,873	5,559,418	6,108,654	6,657,889

Urban Renewal District Expenditures	Est. Int. Rate	Length of Bond	Project Cost	Type	Payment Schedule											
CF Industries Entrance Road (Rise) Est.	3.50%	13 Years	800,000	TIF	28,000	28,000	28,000	108,000	105,200	102,400	99,600	95,800	94,000	91,200	88,400	85,600	82,800	-
CF Industries On-Site Road			800,000	Rebate	-	-	-	200,000	200,000	200,000	200,000	-	-	-	-	-	-	-
AGP Road (Port Neal Circle) Est.	3.50%	13 Years	750,000	TIF	26,250	26,250	26,250	101,250	98,624	96,000	93,374	90,156	88,125	85,500	82,875	80,250	77,526	-
Dogwood Trail (Sgt. Bluff) Est.	1.60%	13 Years	801,000	TIF	12,800	26,250	12,800	92,800	91,520	90,240	88,960	87,680	86,400	85,120	83,840	82,560	83,560	-
Attorney Fees					15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Total TIF Expenditures					82,050	95,500	82,050	517,050	510,344	503,640	496,934	288,636	283,525	276,820	270,115	263,410	258,886	15,000
Revenues over Expenditures					(48,284)	(28,439)	(14,989)	99,247	792,497	1,348,437	2,041,688	2,799,221	3,353,568	4,046,818	4,602,758	5,296,008	5,849,768	6,642,889
Possible Property Tax for Economic development - 50%					-	-	-	49,624	396,249	674,219	1,020,844	1,399,611	1,676,784	2,023,409	2,301,379	2,648,004	2,924,884	3,321,445
Possible Property Tax Increment Release - 50%					-	-	-	49,624	396,249	674,219	1,020,844	1,399,611	1,676,784	2,023,409	2,301,379	2,648,004	2,924,884	3,321,445

Breakdown of Tax Entity FY 15-16														
Woodbury County	39.77%	-	-	-	19,735	157,588	268,137	405,990	556,625	666,857	804,710	915,258	1,053,111	1,163,226	1,320,938
Sergeant Bluff School	52.97%	-	-	-	26,286	209,893	357,134	540,741	741,374	888,192	1,071,800	1,219,040	1,402,648	1,549,311	1,759,369
WIT	2.89%	-	-	-	1,434	11,452	19,485	29,502	40,449	48,459	58,477	66,510	76,527	84,529	95,990
County Assessor	1.61%	-	-	-	799	6,380	10,855	16,436	22,534	26,996	32,577	37,052	42,633	47,091	53,475
Ag Extension	0.51%	-	-	-	253	2,021	3,439	5,206	7,138	8,552	10,319	11,737	13,505	14,917	16,939
Liberty Township	2.24%	-	-	-	1,112	8,876	15,102	22,867	31,351	37,560	45,324	51,551	59,315	65,517	74,400
State Levy	0.01%	-	-	-	5	40	67	102	140	168	202	230	265	292	332
Total	100.00%				49,624	396,249	674,219	1,020,844	1,399,611	1,676,784	2,023,409	2,301,379	2,648,004	2,924,884	3,321,445

Woodbury County Only
Breakdown of Tax Entity Tax Rates FY 15-16

Fund	Tax Rate	% of Total												
General Basic	3.50000	32.898	6,493	51,843	88,212	133,562	183,119	219,383	264,733	301,102	346,453	382,678	434,562
General Supplemental	2.82458	26.55	5,240	41,840	71,190	107,790	147,784	177,051	213,650	243,001	279,601	308,837	350,709
County Services (Sioux Rivers)	0.97917	9.204	1,816	14,504	24,679	37,367	51,232	61,378	74,065	84,240	96,928	107,063	121,579
Debt Service	0.21239	1.996	394	3,145	5,352	8,104	11,110	13,310	16,062	18,269	21,020	23,218	26,365.9
Rural Basic	3.12277	29.352	5,793	46,255	78,703	119,166	163,381	195,736	236,198	268,647	309,109.2	341,430	387,722
Total	10.63891	100.000	19,735	157,588	268,137	405,990	556,625	666,857	804,710	915,258	1,053,111	1,163,226	1,320,938

#10

RESOLUTION

NOTICE OF PROPERTY SALE

Parcel #178905

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

Lot Four Garden View Addition, City of Sioux City and Woodbury County, Iowa (2810 W. 14th Street)

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **3rd Day of November, 2015 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.

2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **3rd Day of November, 2015**, immediately following the closing of the public hearing.

3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of $130.00** plus recording fees.

4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 20th Day of October, 2015.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

_____

Patrick F. Gill
Woodbury County Auditor
and Recorder

_____

Mark A. Monson, Chairman

REQUEST FOR MINIMUM BID

Name: Ray Date: 3/19/14

Address: 2808 W. 14th St. Phone: 899-6917

Address or approximate address/location of property interested in:

2810 W. 14th St.

GIS# 894730102004

*This portion to be completed by Board Administration *

Legal Description:

Lot 4 Garden View Addition, City of Sioux City and Woodbury County, Iowa

Tax Sale #/Date: # 1330 6/18/07 Parcel # 178905

Tax Deeded to Woodbury County on: 12/4/14

Current Assessed Value: Land $7,100- Building Ø Total $7,100-

Approximate Delinquent Real Estate Taxes: $920-

Approximate Delinquent Special Assessment Taxes: —

*Cost of Services: $ 125-

Inspection to: Mark Monson Date: _____

Minimum Bid Set by Supervisor: $5 plus cost of services: total: $130-

Date and Time Set for Auction: Tuesday, November 3rd @ 4:35 p.m.

* Includes: Abstractors costs; Sheriff's costs: publishing costs; and mailing costs.

(MinBidReq/MSWord)

Woodbury County, IA / Sioux City

beacon™

Date Created: 3/19/2014

Legend

- Roads
- Corp Boundaries
- Townships
- Sections

Residential Sales

- 2011
- 2012
- 2013
- Parcels

Parcel ID	894730102004	**Alternate ID**	178905	**Owner Address**	SOLBERG CHRISTOPHER
Sec/Twp/Rng	0-0-0	**Class**	R		PO BOX 98
Property Address	2810 W 14TH ST SIOUX CITY	**Acreage**	n/a		MAYER, MN 55360-0098

District 087 SC LL SIOUX CITY COMM

Brief Tax Description GARDEN VIEW
LOT 4
(Note: Not to be used on legal documents)

Last Data Upload: 3/19/2014 2:58:28 AM

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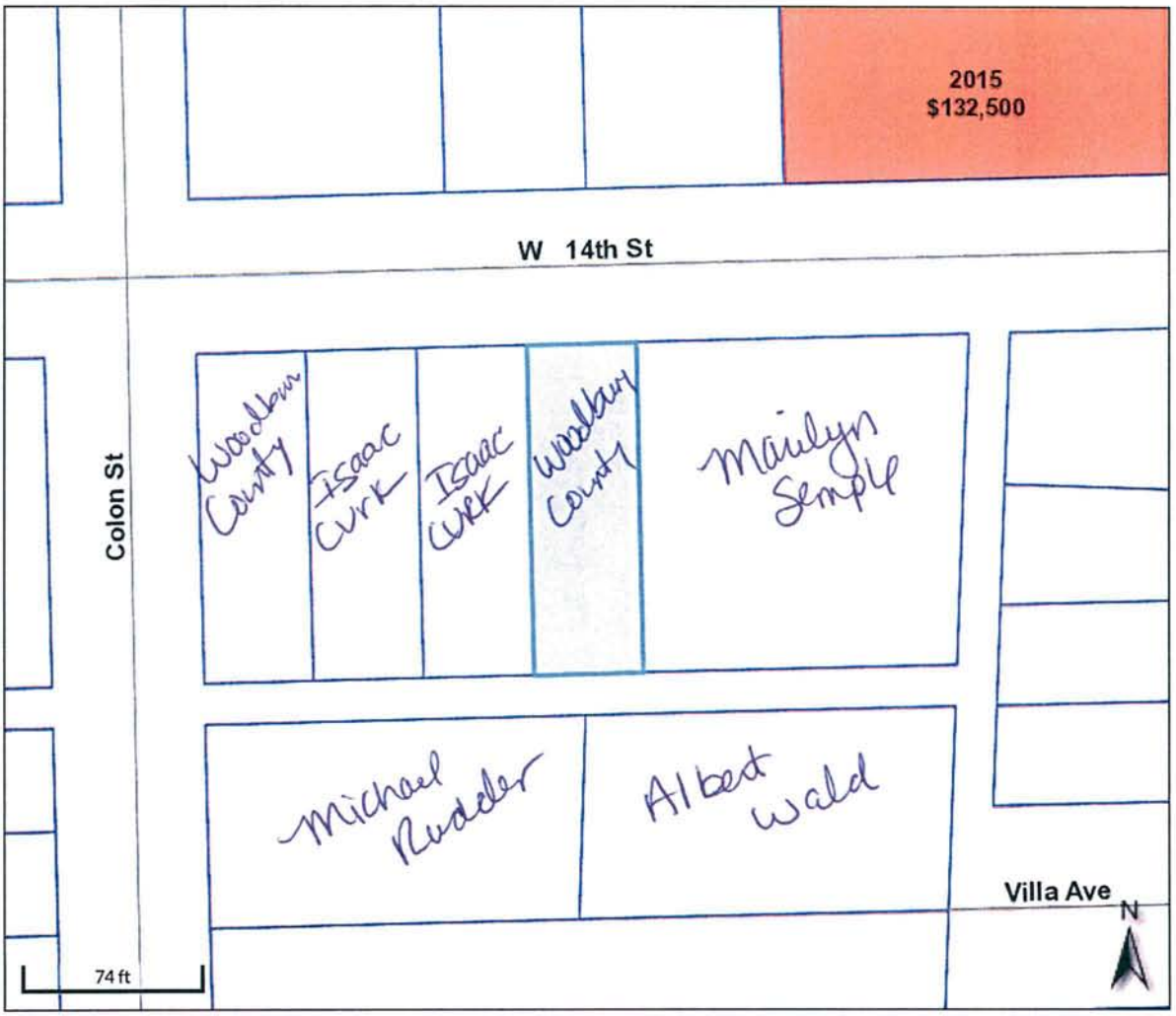

Overview

Legend

- Roads
- Corp Boundaries
- Townships
- Sections

Residential Sales

- 2013
- 2014
- 2015
- Parcels

Parcel ID	894730102004	**Alternate ID**	178905	**Owner Address**	WOODBURY COUNTY
Sec/Twp/Rng	0-0-0	**Class**	R		WOODBURY COUNTY COURTHOUSE
Property Address	2810 W 14TH ST	**Acreage**	n/a		620 DOUGLAS ST
	SIOUX CITY				SIOUX CITY, IA 51101-0000
District	087 SC LL SIOUX CITY COMM				
Brief Tax Description	GARDEN VIEW				
	LOT 4				
	(Note: Not to be used on legal documents)				

Date created: 10/14/2015
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#11a

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) RE

Date: October 15, 2015

Weekly Agenda Date: October 20, 2015

DEPARTMENT HEAD / CITIZEN: John Pylelo, Director Planning and Zoning

SUBJECT: Resolution of Final Plat Approval for Water Dog Addn.

ACTION REQUIRED:

Approve Ordinance ☐	Approve Resolution ☒	Approve Motion ☐
Public Hearing ☐	Give Direction ☐	Other: Informational ☐
Attachments ☒		

WORDING FOR AGENDA ITEM: Resolution Accepting and Approving the Final Platting for Water Dog Addition (a Minor Subdivision) and Authorizing Chairman's signature - GIS Parcel #874811300010

EXECUTIVE SUMMARY: See Narrative Attached

BACKGROUND: See Narrative Attached

FINANCIAL IMPACT: None; covered by Application Fees

RECOMMENDATION: Zoning Commission- Plat Approval with Conditions

Staff - Plat Approval with Conditions

ACTION REQUIRED: Accept and Approve a Resolution for the Final Platting of Water Dog Addition (a Minor Subdivision) and Authorize Board Chairman's signature. Note: The Board of Supervisor's Resolution language is located upon the final platting.

Approved by Board of Supervisors March 3, 2015.

To: **Board of Supervisors**

From: **John Pylelo – Director Planning and Zoning**

Re: **Supervisor Meeting of Tuesday, October 20, 2015**

Date: **October 15, 2015**

Resolution Accepting and Approving the Final Platting for Water Dog Addition (a Minor Subdivision) and Authorizing the Chairman's Signature; GIS Parcel #874811300010.

Background

Roger and Jean Hassebroek have filed a subdivision application and final platting for a rural Woodbury County parcel. The applicants intend to subdivide 8.09 acres into two (2) lots. The applicants currently reside on the parent parcel within one of the two existing single family dwellings. The applicants wish to subdivide the parcel into two lots in order to place each dwelling on an independent parcel.

The parent parcel lies within rural Woodbury County approximately 9/10 of a mile southwest of the Sioux City corporate limits. The closest intersection is ½ mile to the east at 235th St. and Allison Ave. Location mapping can be found on the final platting. The location is within a portion of the NE ¼ of the SW ¼ of Section 11, Liberty West Township.

The parent parcel is zoned GI (General Industrial); is not located within a special flood hazard area; and does not lie within any drainage district. The parcel is serviced by drives addressed 1012 and 1020 235th St. The current and proposed use of the parent parcel and its structures are classified as legal non-conforming uses within the GI zoning district designation and Woodbury County zoning ordinances. As such the re-location, enlargement, or replacement of the existing dwellings and accessory structures may be restricted.

A paving agreement meeting county paving policies and a utility easement have been drafted pursuant to zoning commission recommendation. Both documents are required to be recorded with the final platting.

This matter will also require final plat approval by the city of Sioux City.

Zoning Commission Recommendation:

On September 28, 2015 the Zoning Commission held the required public hearing voting to recommend final platting approval subject to multiple conditions involving final plat changes or additions. Each of those changes or additions are reflected on the attached final plat.

Office of Planning and Zoning Staff Recommendation:

The staff recommendation supports the Zoning Commission recommendation.

Included find the following for your review:

- Location and Parcel Information
- Final Platting
- Aerial Photography
- Onsite Photographs

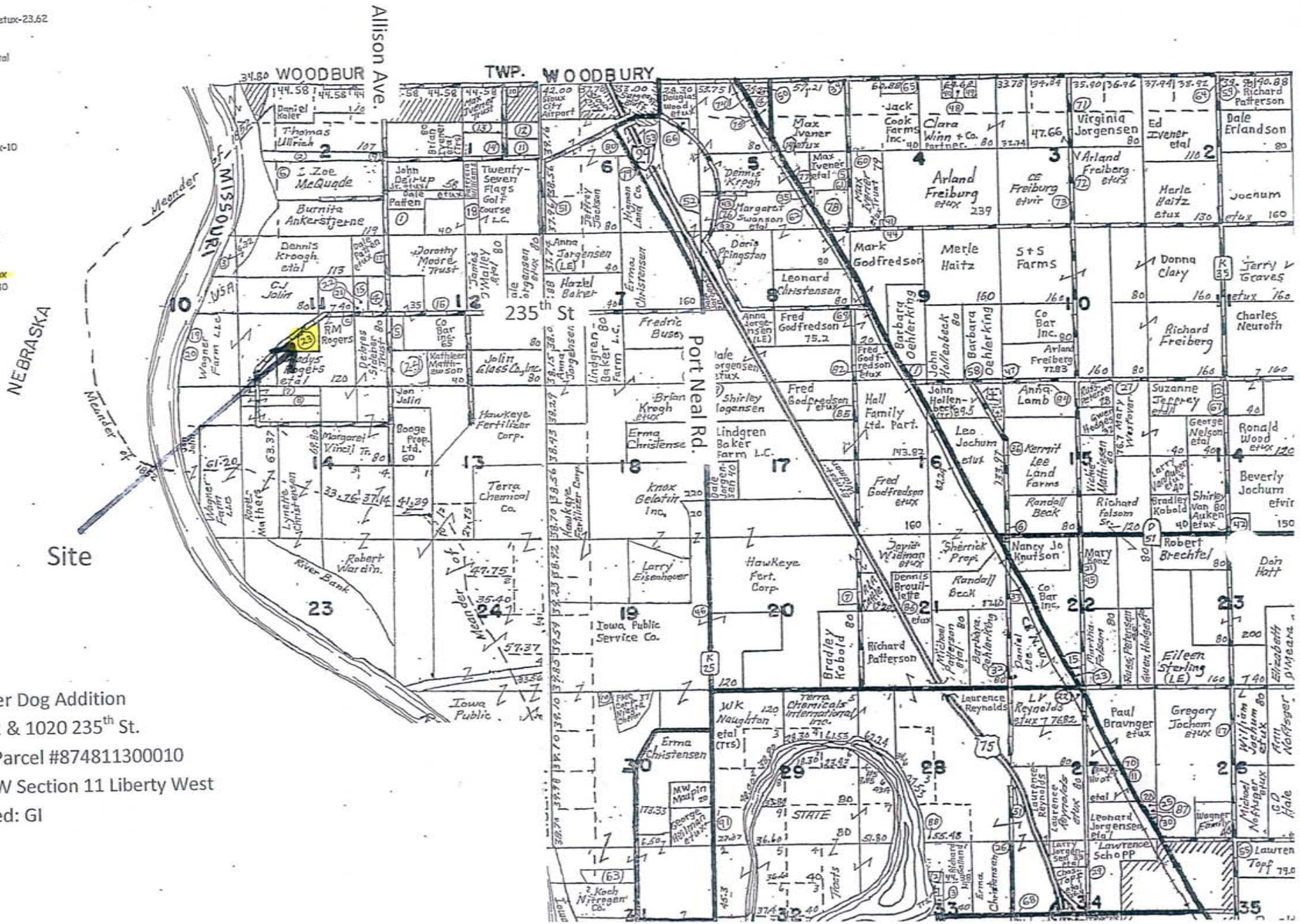
LIBERTY WEST PART

T-87N R-48W OF THE 5TH P.M.

LIBERTY EAST PART

T-87N R-47W OF THE 5TH P.M.

1. Sec.1 Larry Jorgensen,etal
2. Sec.2 Dale Patten,etux
3. Sec.10 Frederich Christenson,etux-23.62
4. Sec.11 Charlene Gunther-20
5. Sec.12 Gary Cameron-15
6. Sec.2 Lawrence Christensen,etal
7. Sec.14 Merrill Rogers-15
8. Sec.14 Ronald Coyne-15
9. Sec.2 William Shultz,etux
10. Sec.1 David Stokes
11. Sec.1 Marx Dev. Co.-20
12. Sec.1 Maquade Add'n.
13. Sec.1 Randall Leuenhagen,etux-10
14. Sec.1 Elk Horn Const. Co.-30
15. Sec.11 Margaret Vencil (TR)
16. Sec.12 Michael Knapp-0,86
17. Sec.11 Gary Lester,etux
18. Sec.1 Terry Johnson,etux
19. Sec.10 State of Iowa -13.14
20. Sec.10 I. P. S. Harbor Club-5
21. Sec.11 David Radican,etux
22. Sec.11 Karl George
23. Sec.11 Roger Hassebrock,etux
24. Sec.12 Jeanne Christensen-40



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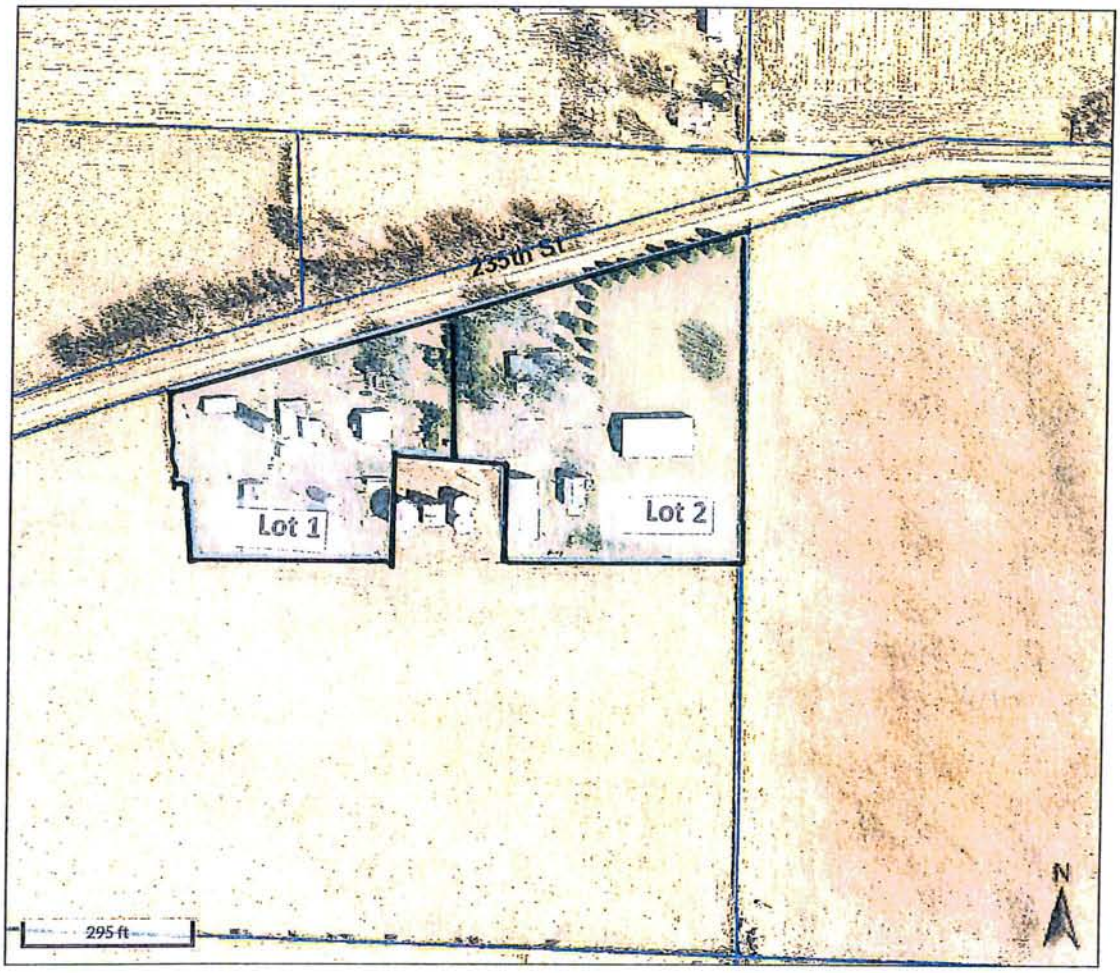

Overview

Legend

- Roads
- Corp Boundaries
- Townships
- Sections

Residential Sales

- 2013
- 2014
- 2015
- Parcels

Parcel ID	874811300010	Alternate ID	000000000770794	Owner Address	HASSEBROEK ROGER A
Sec/Twp/Rng	11-87-48	Class	R		HASSEBROEK JEAN
Property Address	1020 235TH ST LIBERTY	Acreage	n/a		1610 REYNOLDS RD #51 LAKELAND, FL 33801-6959

District: 038 LIBERTY SGT BLUFF LUTON COMM

Brief Tax Description: LIBERTY TWNSHP PT NE SW COM NE COR THEC S 94.12' TO POB ; THEC S 572.33', W 403.89', N 159.77', NWLY 182.1 ', S 176. 87', W 326.4 ', NWLY 124.33', W 1.73', NWLY 180. .2', NELY 2 62.5', & NEL 734.47 ' 11-87-48

(Note: Not to be used on legal documents)

Water Dog Addition
1020-1022 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI

Date created: 9/9/2015
Last Data Upload: 9/8/2015 11:18:30 PM

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Summary

Parcel ID	874811300010
Alternate ID	000000000770794
Property Address	1020 235th St Liberty
Sec/Twp/Rng	11-87-48
Brief Legal Description	LIBERTY TWNSHP PT NE SW COM NE COR THEC S 94.12' TO POB ; THEC S 572.33', W 403.89', N 159.77', NWLY 182.12', S 176. 87', W 326.49', NWLY 124.33', W 21.73', NWLY 180.22', NELY 2 62.5', & NELY 734.47 ' 11-87-48 (Note: Not to be used on legal documents)
Document(s)	DED: 599-1402 (6/27/2003)
Gross Acres	0.00
Net Acres	8.09
Exempt Acres	-8.09
CSR	N/A
Class	R - Residential
Tax District	038 LIBERTY SGT BLUFF LUTON COMM
School District	SGT BLUFF LUTON

Owner

Primary Owner
(Deed Holder)
Hassebroek Roger A
Hassebroek Jean
1610 Reynolds Rd #51
Lakeland, FL 33801-6959
Secondary Owner

Land

Lot Area 8.09 Acres; 352,400 SF

Residential Dwellings

Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI

Residential Dwelling	
Occupancy	Single-Family / Owner Occupied
Style	1 1/2 Story Frame
Architectural Style	N/A
Year Built	1900
Condition	Very Good
Grade what's this?	5+10
Roof	Asph / Hip
Flooring	L/C
Foundation	Brk
Exterior Material	Vinyl
Interior Material	Drwl
Brick or Stone Veneer	
Total Gross Living Area	1,457 SF
Attic Type	None;
Number of Rooms	6 above; 0 below
Number of Bedrooms	4 above; 0 below
Basement Area Type	None
Basement Area	0
Basement Finished Area	
Plumbing	1 Base Plumbing (Full ; 1 Half Bath;
Appliances	
Central Air	No
Heat	Yes
Fireplaces	1 Masonry;
Porches	1S Frame Enclosed (72 SF);
Decks	
Additions	1 Story Frame (342 SF);
Garages	

Residential Dwelling	
Occupancy	Single-Family / Owner Occupied
Style	1 Story Frame
Architectural Style	N/A
Year Built	1960
Condition	Normal
Grade what's this?	4+10
Roof	Asph / Hip
Flooring	Carp
Foundation	C Blk
Exterior Material	WOOD
Interior Material	Drwl
Brick or Stone Veneer	
Total Gross Living Area	2,070 SF
Attic Type	None;
Number of Rooms	7 above; 2 below
Number of Bedrooms	4 above; 0 below
Basement Area Type	Full
Basement Area	2,070
Basement Finished Area	
Plumbing	1 Base Plumbing (Full ; 1 Three Quarter Bath; 1 Half Bath;
Appliances	1 Range Unit; 1 Oven - Single;
Central Air	Yes
Heat	Yes
Fireplaces	1 Masonry;
Porches	
Decks	
Additions	
Garages	528 SF - Att Frame (Built 1960);

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Steel Utility Building	MACHINE SHED	50	100	1960	1
0	Steel Utility Building	MACHINE SHED	35	45	1979	1
0	Steel Utility Building	MACHINE SHED	60	117	1982	1
0	Steel Utility Building	MACHINE SHED	45	45	1982	1
0	Shed - Loafing		10	34	1957	1
0	Crib	CRIB	0	0	1957	2
0	Bin - Grain Storage (Bushel)		0	0	1960	1
0	Barn - Pole		36	96	1951	1
0	Barn - Pole	CATTLE SHED	22	52	1941	1
0	Silo - Concrete	SILO	14	40	1940	1
0	Silo - Concrete	SILO	14	40	1959	1
0	Milk House	MILK ROOM	19	20	1959	1
0	Milking Parlor	MILK PARLOR	18	28	1959	1
0	Shed - Loafing	LOAFING SHED	0	0	1946	1
0	Addition to Bldg	LEG	0	0	1980	1

Yard Extras

#1 - (1) SCREEN PATIO Width=18, Length=21, Quantity=378, Built 2012

Sales

Date	Seller	Buyer	Recording	NUTC	Type	Multi Parcel	Amount
5/22/2001	KROGH MAX E & HELEN ETAL	HASSEBROCK ROGER A & JEAN	492/1309	SALE OF PORTION OF PROPERTY (SPLIT)	Deed	Y	$132,500.00

+

Valuation

	2015	2014	2013	2012	2011
Classification	Residential	Residential	Residential	Residential	Residential
+ Assessed Land Value	$25,500	$25,500	$25,500	$25,500	$25,500
+ Assessed Building Value	$0	$0	$0	$0	$0
+ Assessed Dwelling Value	$209,100	$209,100	$208,870	$206,870	$206,870
+ Exempt Value	$0	$0	$0	$0	$0
= **Gross Assessed Value**	**$234,600**	**$234,600**	**$234,370**	**$232,370**	**$232,370**
- Exempt Value	$0	$0	$0	$0	$0
= **Net Assessed Value**	**$234,600**	**$234,600**	**$234,370**	**$232,370**	**$232,370**

Taxation

	2013	2012	2011	2010
+ Taxable Land Value	$13,872	$13,468	$12,942	$12,375
+ Taxable Building Value	$0	$0	$0	$0
+ Taxable Dwelling Value	$113,626	$109,262	$104,990	$104,582
= **Gross Taxable Value**	**$127,498**	**$122,730**	**$117,932**	**$116,957**
- Military Exemption	$0	$0	$0	$0
= **Net Taxable Value**	**$127,498**	**$122,730**	**$117,932**	**$116,957**
x Levy Rate (per $1000 of value)	26.10861	25.98995	25.56737	25.95039
= **Gross Taxes Due**	**$3,328.80**	**$3,189.75**	**$3,015.21**	**$3,035.08**
- Ag Land Credit	$0.00	$0.00	$0.00	$0.00
- DSC Credit	$0.00	$0.00	$0.00	$0.00
- Family Farm Credit	$0.00	$0.00	$0.00	$0.00
- Homestead Credit	($126.63)	($126.05)	($96.72)	($79.29)
- Business Property Credit	$0.00	$0.00	$0.00	$0.00
- Prepaid Tax	$0.00	$0.00	$0.00	$0.00
= **Net Taxes Due**	**$3,202.00**	**$3,064.00**	**$2,918.00**	**$2,956.00**

Treasurer Link

Click here to view tax information for this parcel

Tax History

Year	Due Date	Amount	Paid	Date Paid	Receipt

Year	Due Date	Amount	Paid	Date Paid	Receipt
2013	March 2015	$1,601	Yes	2015-02-24	10321
	September 2014	$1,601	Yes	2014-09-23	
2012	March 2014	$1,532	Yes	2014-03-17	10362
	September 2013	$1,532	Yes	2013-09-23	
2011	March 2013	$1,459	Yes	2013-03-18	10356
	September 2012	$1,459	Yes	2012-09-19	
2010	March 2012	$1,478	Yes	2012-03-20	10342
	September 2011	$1,478	Yes	2011-09-19	

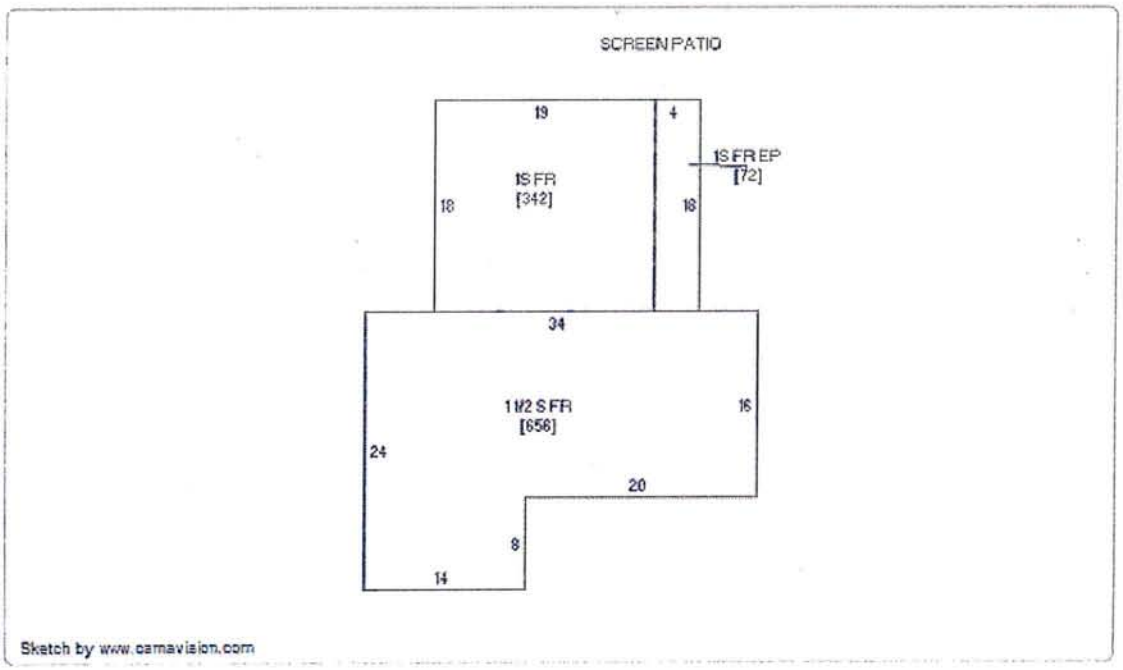
Iowa Land Records

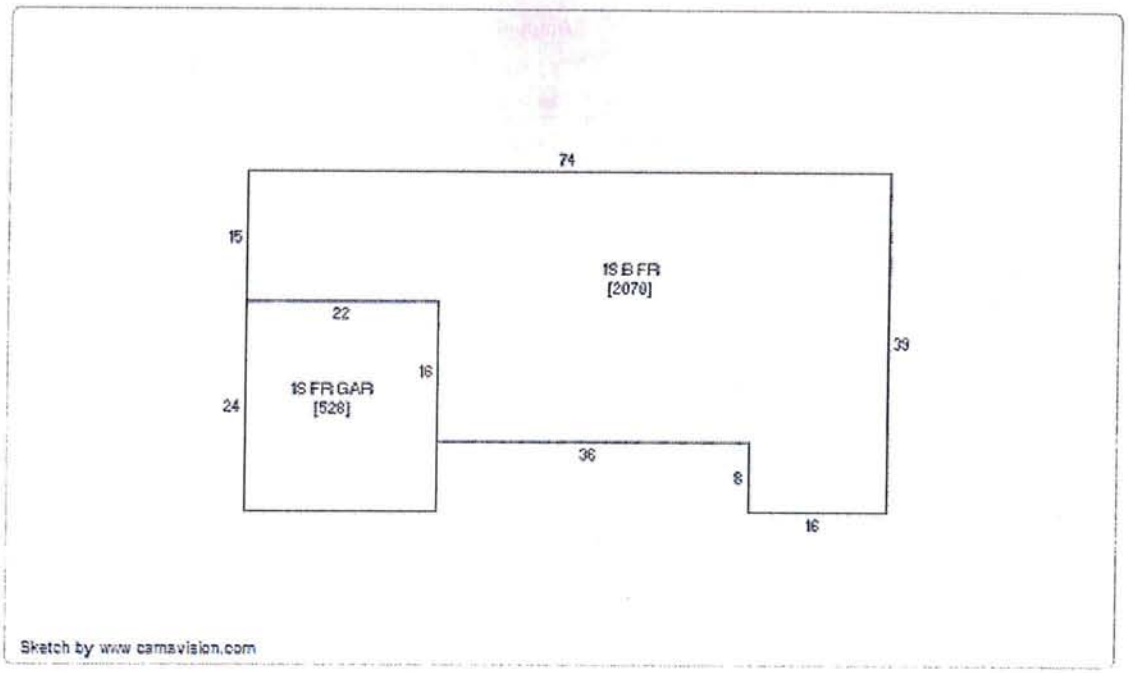
Book-Page: 599-1402 (6/27/2003)

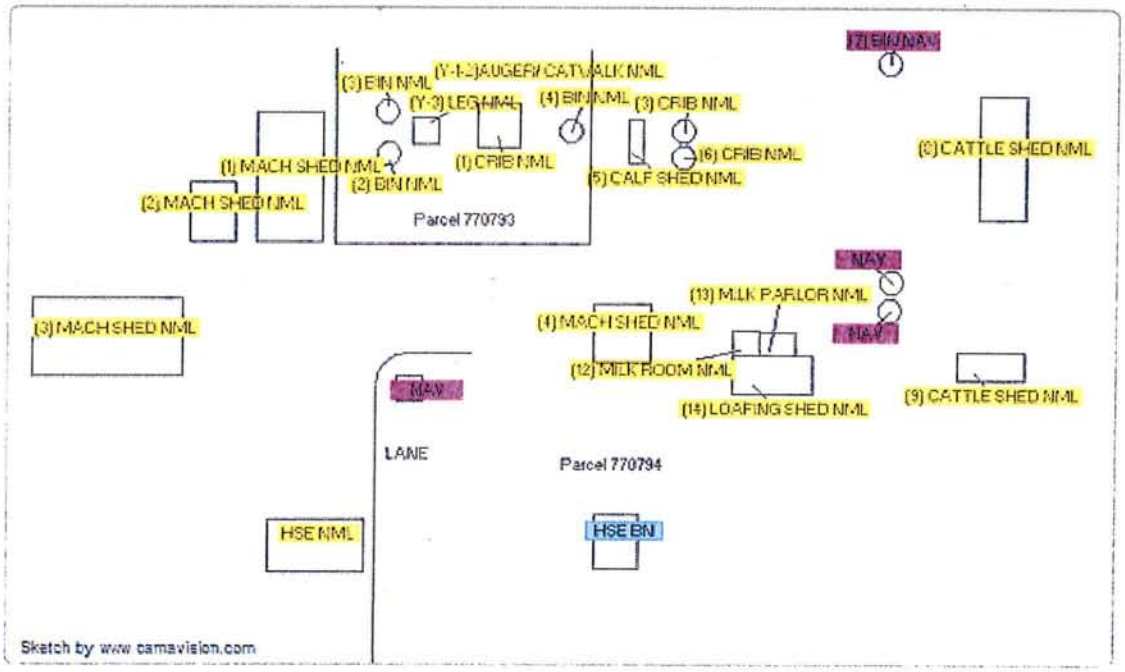
Data for Woodbury County between Beacon and Iowa Land Records is available on the Iowa Land Records site beginning in 1994. For records prior to 1994, contact the County Recorder or Customer Support at www.IowaLandRecords.org.

Photos

Sketches







No data available for the following modules: Commercial Buildings, Permits, Valuation (Sioux City), Unpaid Fees and Special Assessments.

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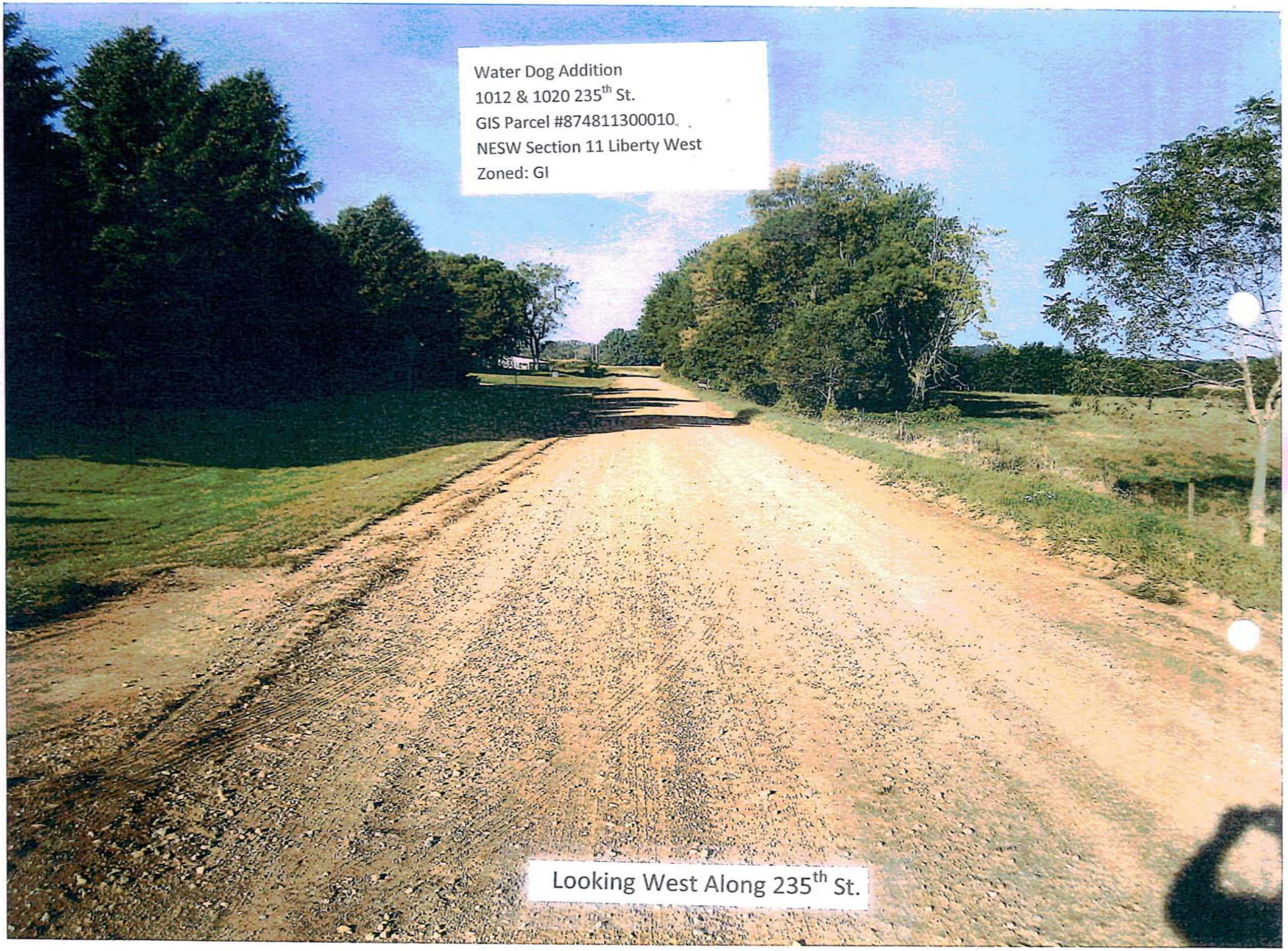
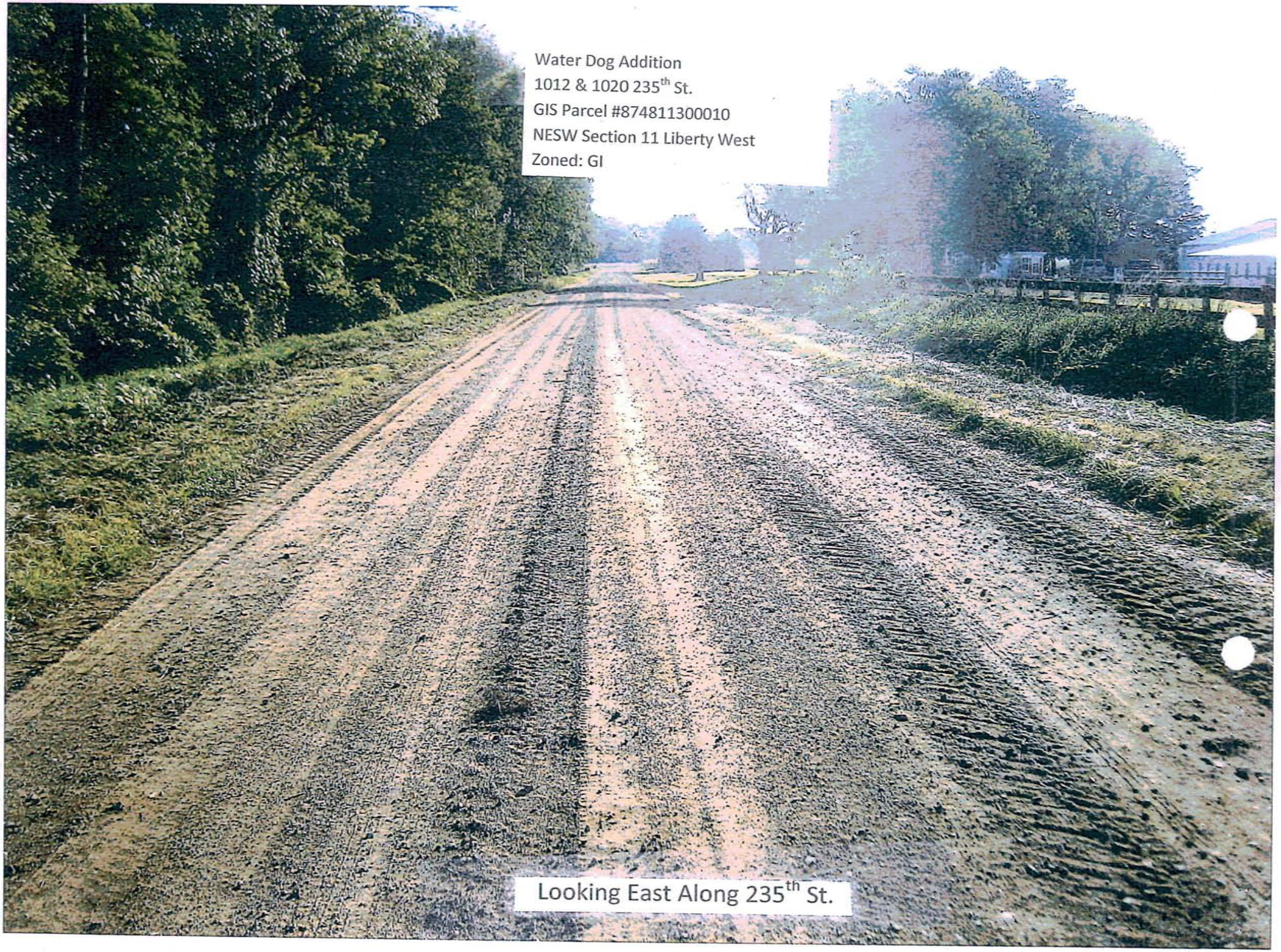

Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Looking West Along 235th St.

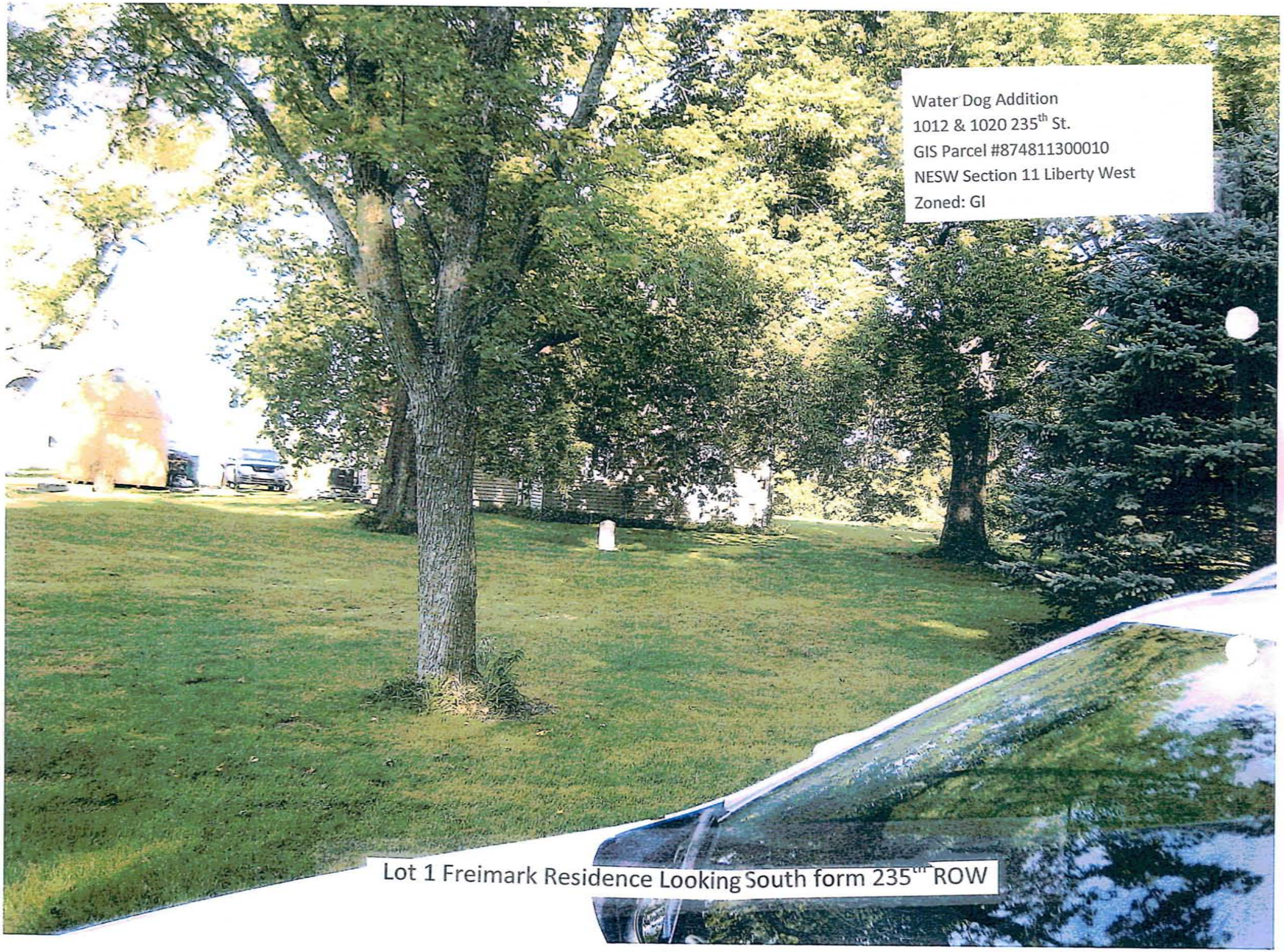

Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Looking East Along 235th St.

1012
Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
1012 235th St. - Lot 1

Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI

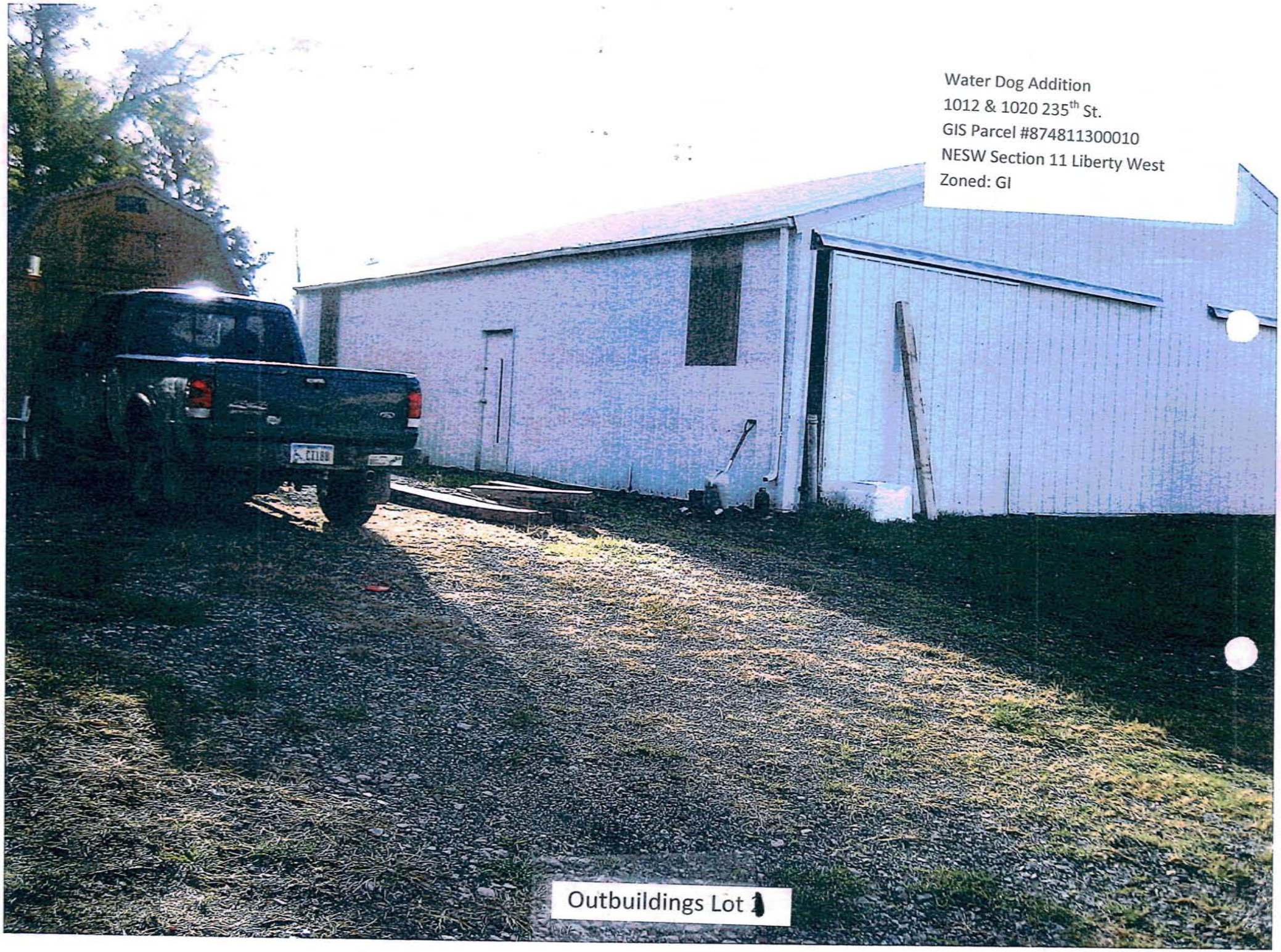
Looking Southeast from 235th ROW

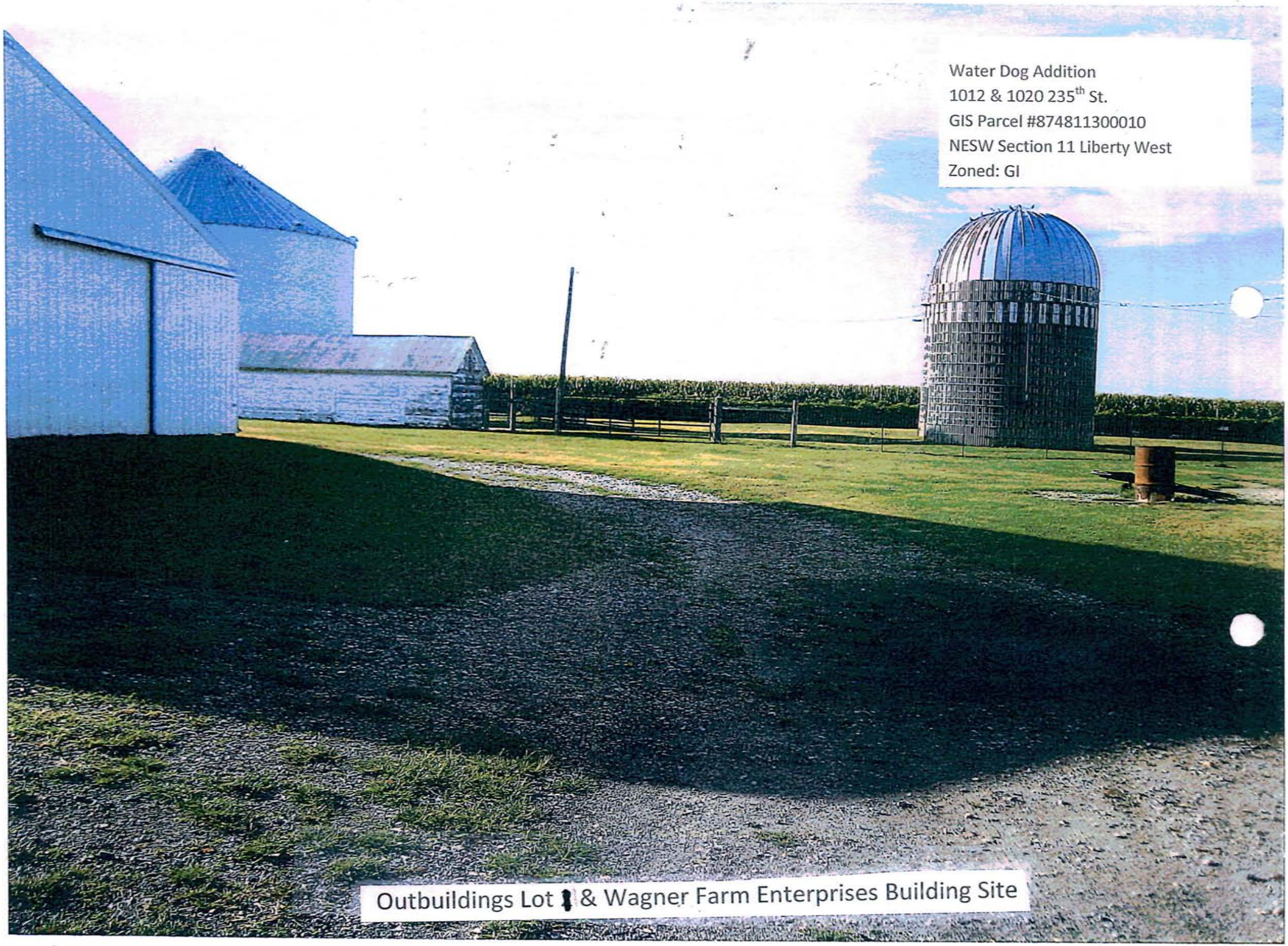
Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
1012
Lot 1 1012 235th St. Freimark Residence
P1512

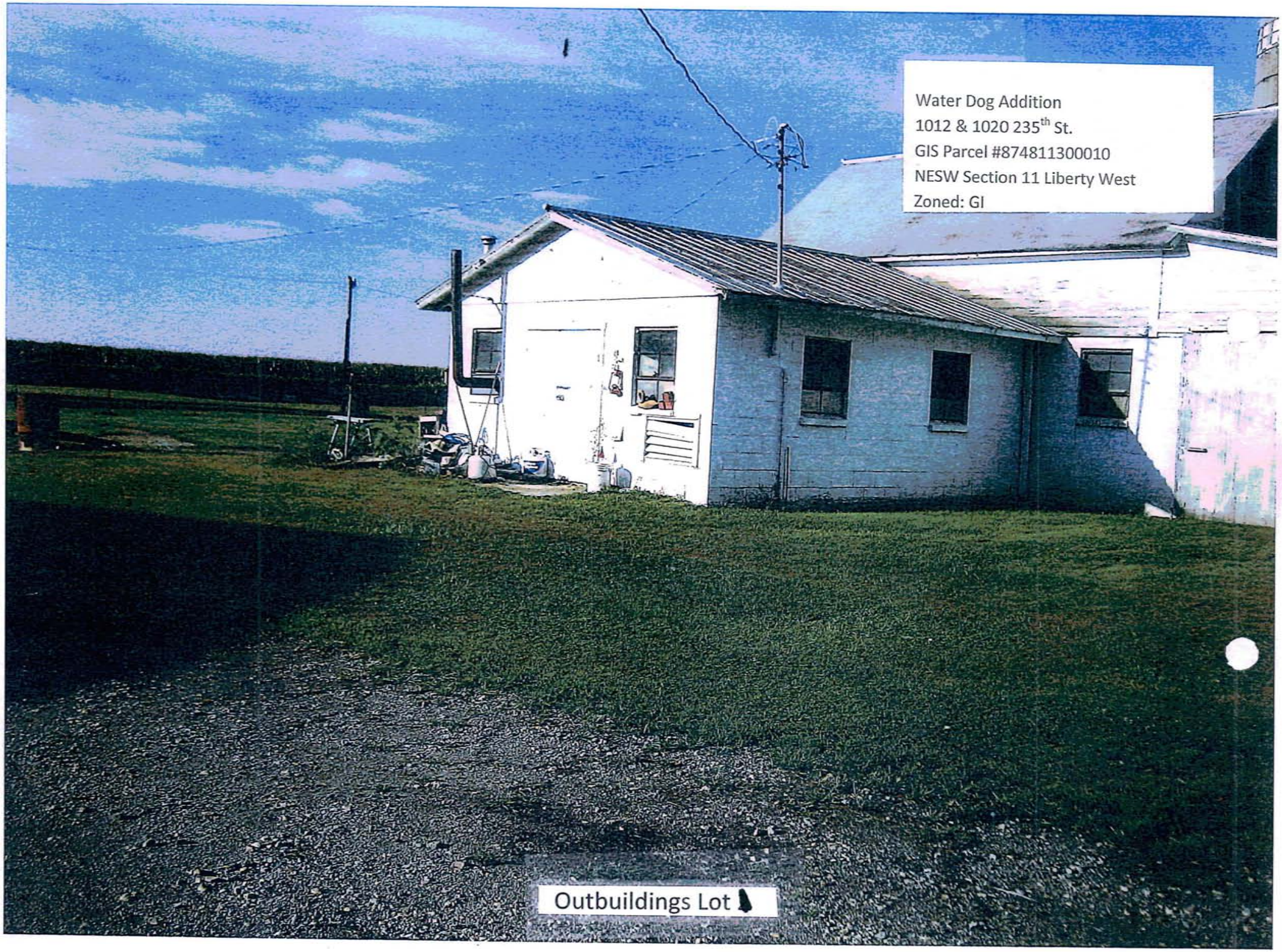


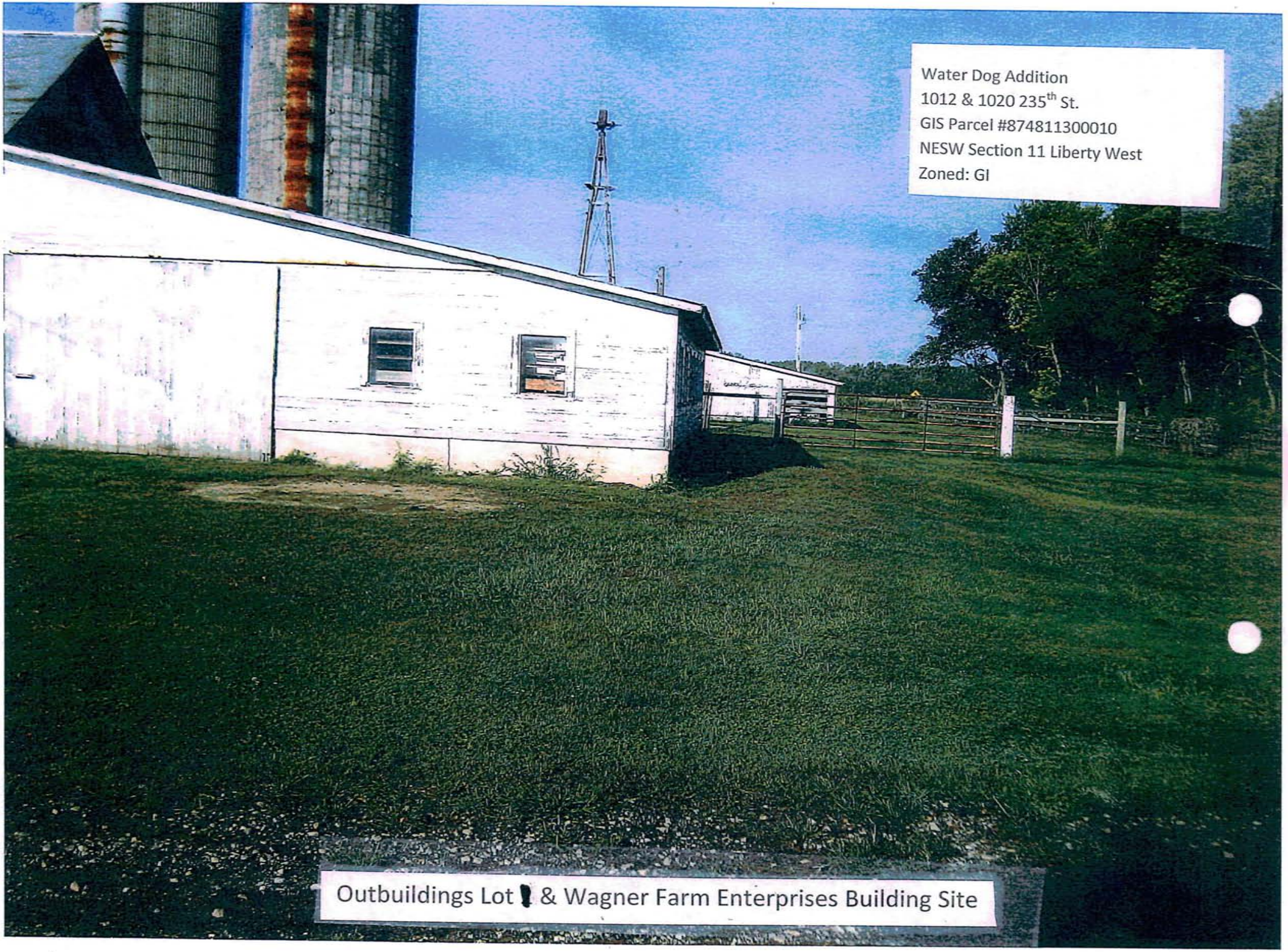
Lot 1 Freimark Residence Looking South form 235th ROW

Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Lot 1 Freimark Residence Looking East


Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Outbuildings Lot 1


Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Outbuildings Lot 1 & Wagner Farm Enterprises Building Site


Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Outbuildings Lot


Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Outbuildings Lot 1 & Wagner Farm Enterprises Building Site

Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
1020
1020 235th St. - Lot 2

Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Lot 2 1020 235th St. Hassebroek Residence

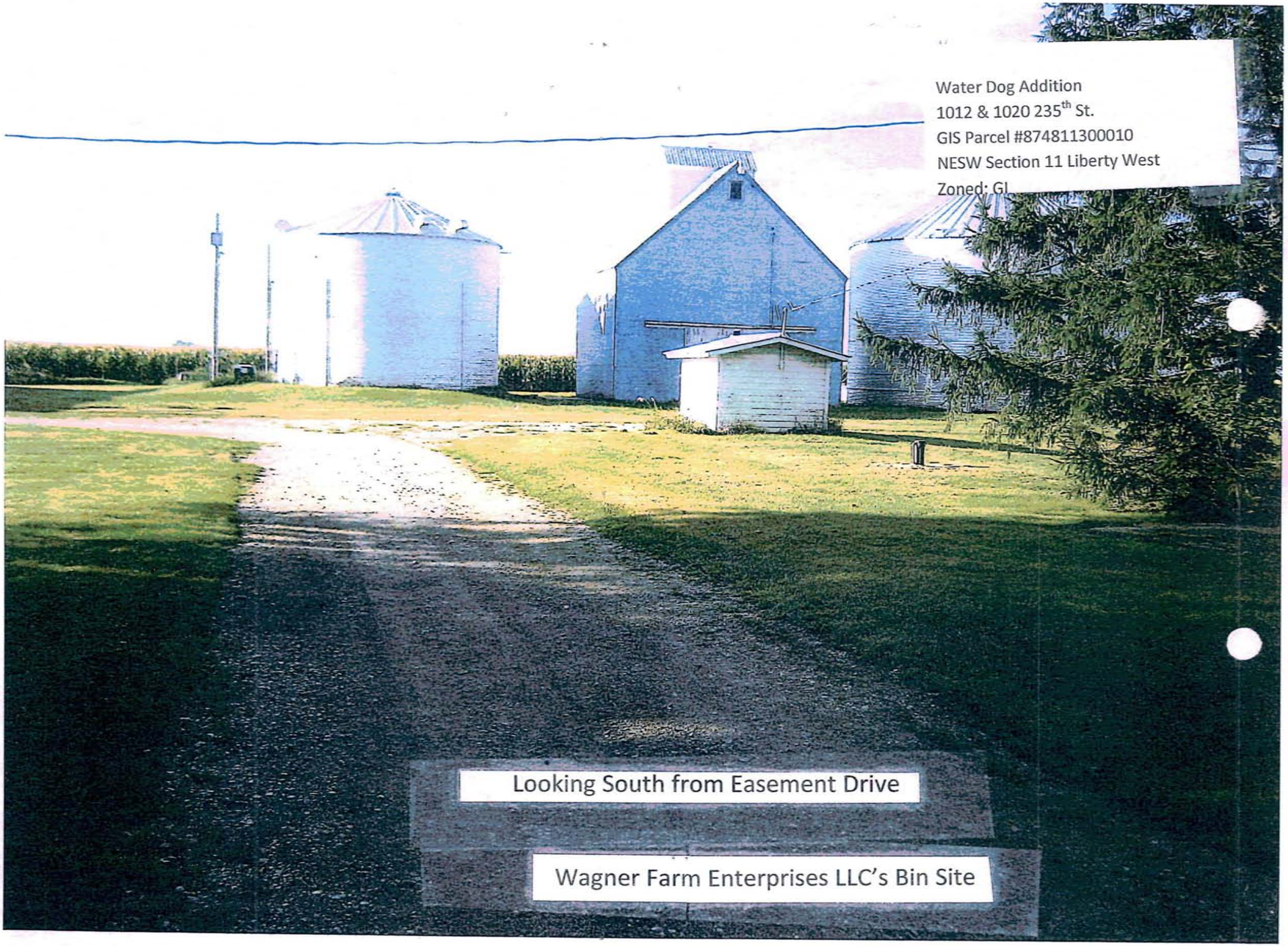
Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Lot 2 looking South from Easement Drive

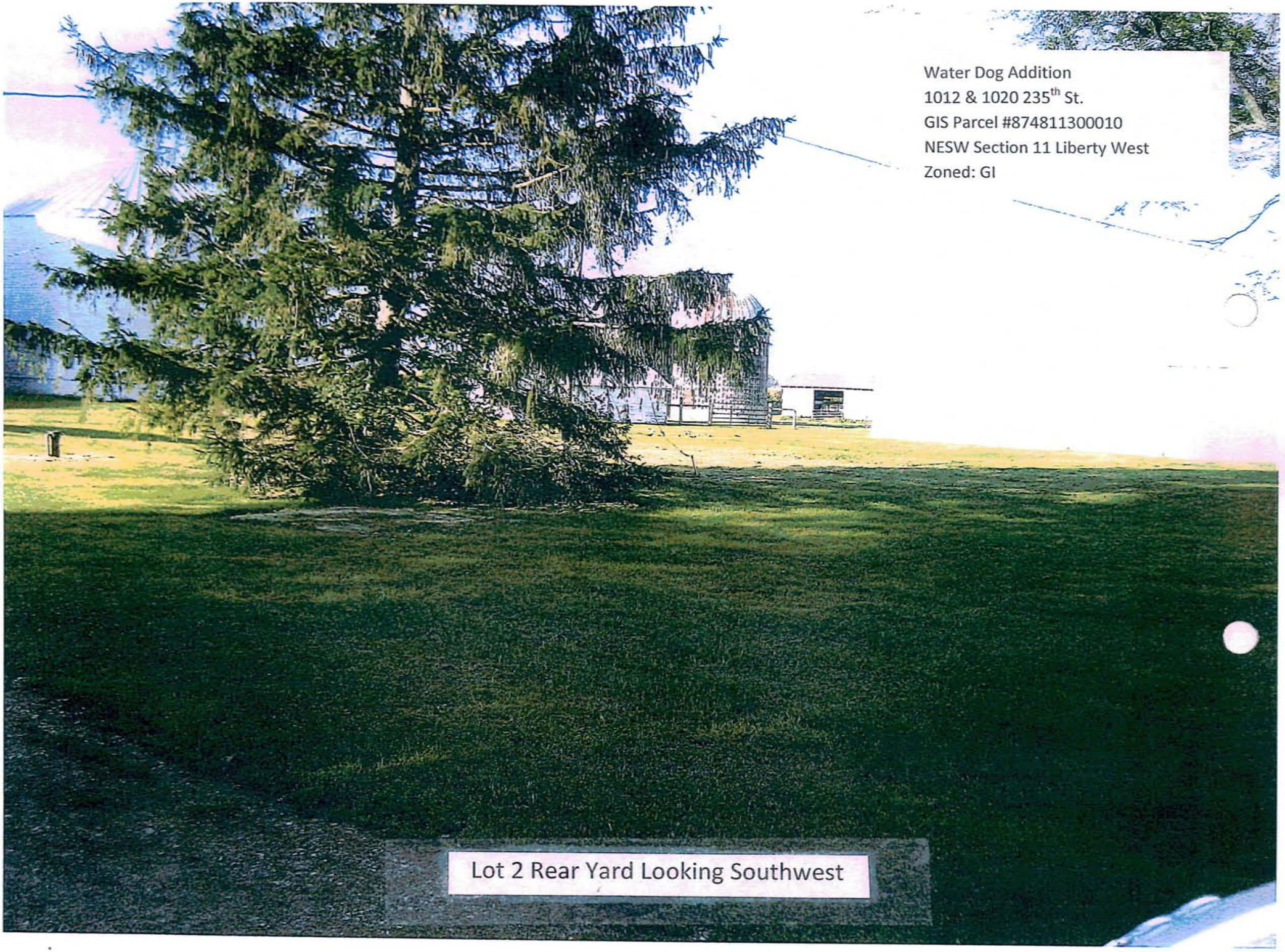
Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Lot 2 Looking East at Residence

Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Rear Yard Lot 2 Looking South

Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI

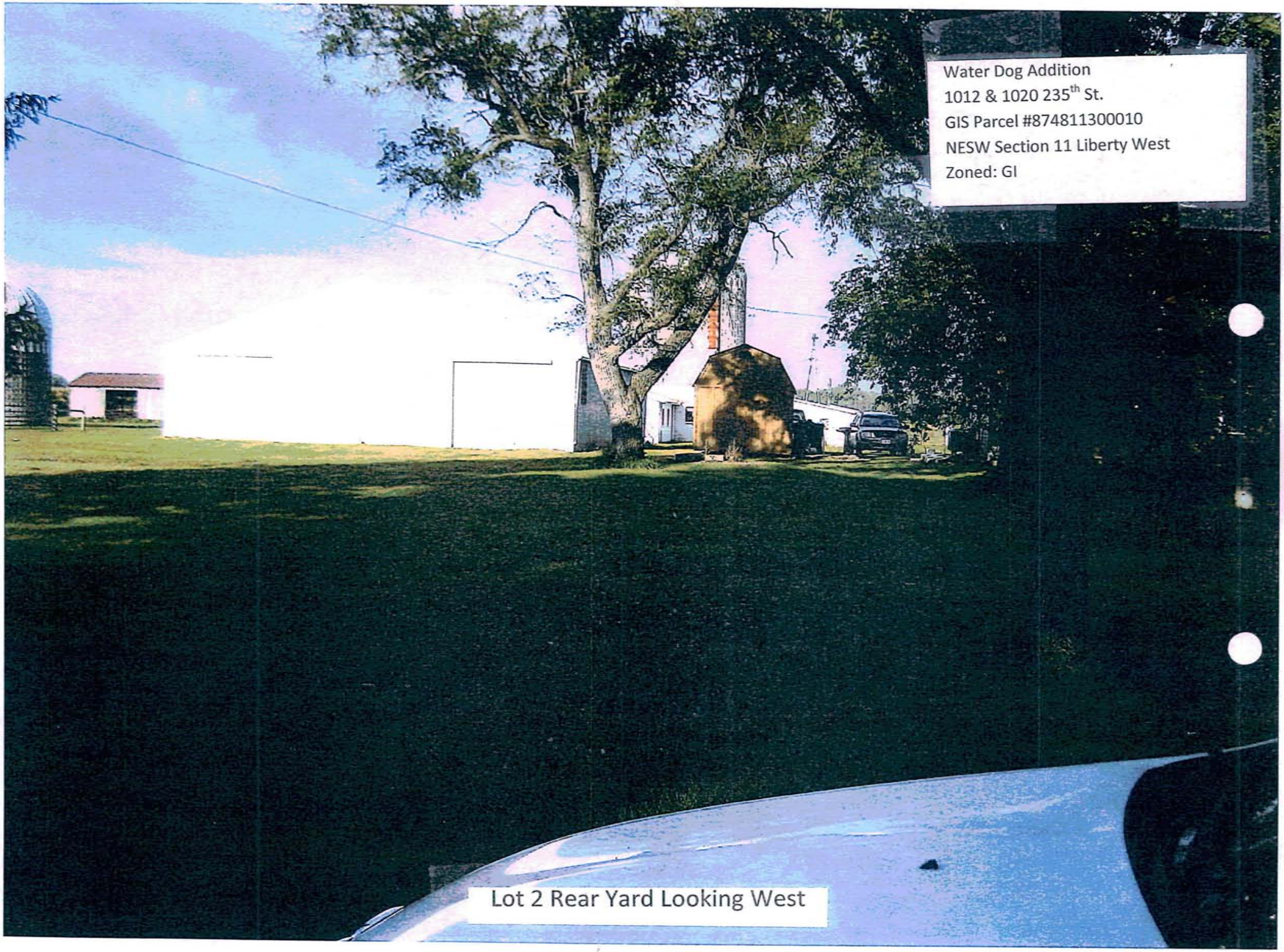
Rear Yard Lot 2


Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Looking South from Easement Drive
Wagner Farm Enterprises LLC's Bin Site



Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI

Lot 2 Rear Yard Looking Southwest


Water Dog Addition
1012 & 1020 235th St.
GIS Parcel #874811300010
NESW Section 11 Liberty West
Zoned: GI
Lot 2 Rear Yard Looking West

John Pylelo - RE: Water Dog Final Plat

From: Dave Lamberton <dave.lamberton@dgr.com>
To: "ccowell@sioux-city.org" <ccowell@sioux-city.org>
Date: 9/17/2015 2:58 PM
Subject: RE: Water Dog Final Plat
CC: Bryan Wells <bryan.wells@dgr.com>, Robert Rehan <bob@robertrehanlaw.com>...
Attachments: DESCRIPTION OF WATER DOG ADDITION.docx

I have corrected the error in the legal description (bearing along the centerline of 235th street was corrected to read North 74°59'04" East) and also on the plat. Attached is a word file of the correct description for your use in associated documents.

David A. Lamberton, PLS

DGR Engineering

6115 Whispering Creek Drive
Sioux City, IA 51106
phone: 712-266-1554
cell: 712-203-1323

2014 PSMJ Circle of Excellence Honoree

From: Bryan Wells
Sent: Thursday, September 17, 2015 11:05 AM
To: Dave Lamberton <dave.lamberton@dgr.com>
Subject: FW: Water Dog Final Plat

See below. Have you heard from Tony? City and County will need revisions.

DESCRIPTION OF WATER DOG ADDITION, A MINOR SUBDIVISION:

That portion of the northeast quarter of the southwest quarter (NE1/4-SW1/4) of Section 11, Township 87 North, Range 48 West if of the 5th P.M., Woodbury County, Iowa, previously described as Parcel A and Parcel C as recorded on roll 488, image 449 and roll 581, image 273 in the Recorders Office, Woodbury County. The boundary of said Addition being described as follows:

Commencing at the northeast corner of SW1/4 of said Section 11; thence South 00°00'00" West along the east line of said SW1/4 for a distance of 94.12 feet to the centerline of 235th Street and to the Point of Beginning; thence continuing South 00°00'00" West along said east line for a distance of 572.33 feet to the south east corner of said Parcel A; thence North 89°38'00" West along the south line of said Parcel A for a distance of 403.89 feet; thence North 00°52'50" West along said Parcel A for a distance of 159.77 feet; thence N83°49'33" West along said Parcel A for a distance of 182.12 feet to a corner of said Parcel C; thence South 00°33'11" West along the east line of said Parcel C for a distance of 176.87 feet to the southeast corner of said Parcel C; thence North 89°04'32" West along the south line of said Parcel C for a distance of 326.49 feet to the southwest corner of said Parcel C; thence North 05°05'18" West along the west line of said Parcel C for a distance of 124.43 feet; thence North 89°39'05" West along said Parcel C for a distance of 21.73 feet; thence North 04°39'00" West along the west line of said Parcel C for a distance of 180.22 to the northwest corner of said Parcel C, thence North 74°59'04" East along the centerline of 235th Street for a distance of 996.97 feet to the Point of Beginning, 8.842 acres, subject to easements, if any, of record or apparent.

BASIS OF BEARINGS:

The east line of the SW1/4 of said Section 11 is assumed to bear South 00°00'00" West to conform to survey recorded on Roll 488, Image 449.

John Pylelo - Re: Water Dog Addition

From: John Pylelo
To: Cowell, Charles
Date: 9/15/2015 2:33 PM
Subject: Re: Water Dog Addition

Charlie:

We asked the structures be shown on the platting for Zoning Commission review. Primarily to determine that setbacks are being met for any of the new lot lines established.

Woodbury County would not object to structure removal prior to the recording of the final platting. I will place the change in our staff recommendations to our Zoning Commission.

Our public hearing is scheduled for Monday, Sept 28th.

John

PLEASE NOTE MY NEW E-MAIL ADDRESS WHICH IS:
JPYLELO@woodburycountyiowa.gov

John Pylelo, Director
Office of Planning and Zoning
6th Floor
Woodbury County Courthouse
620 Douglas St.
Sioux City, IA 51101

Office: 712/279-6557
Fax: 712/279-6530
Email: jpylelo@woodburycountyiowa.gov
Website: http://woodburyiowa.com/departments/PlanningandZoning/

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****

>>> Charles Cowell 9/15/2015 1:44 PM >>>

John,

We are bringing the Water Dog Addition to the Planning and Zoning Commission on September 22nd for being within our two mile jurisdiction. I did have a comment on the final plat as to whether the buildings and structures are required by the County to be shown? We typically don't show structures on final plats because they are recorded and the location of structures may change over time. We would prefer the recorded final plat only show the lots, streets, and dimensions.

Charlie Cowell MURP
Planner
City of Sioux City, Planning Division
405 6th Street, Room 308
Sioux City, Iowa 51102
Ph: (712) 279-6283
ccowell@sioux-city.org

#11b

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) RE

Date: October 16, 2015

Weekly Agenda Date: October 20, 2015

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Planning and Zoning – John Pylelo, Director

SUBJECT: Final Platting Referral for ZM Addition – a Minor Subdivision

ACTION REQUIRED:

Approve Ordinance ☐	Approve Resolution ☐	Approve Motion ☒
Give Direction ☐	Other: Informational ☐	Attachments ☒

WORDING FOR AGENDA ITEM: Consideration and Referral of Final Platting to Zoning Commission for Public Hearing and Recommendation for ZM Addition - a minor subdivision; GIS Parcel #884729127001

EXECUTIVE SUMMARY: See attached narrative and final platting.

BACKGROUND: See attached narrative. Referral of Final Platting to Zoning Commission for Public Hearing and Recommendation.

FINANCIAL IMPACT: $200.00 offset by application fees.

RECOMMENDATION: Approve Motion Referring Final Platting to Zoning Commission for Public Hearing and Recommendation.

ACTION REQUIRED / PROPOSED MOTION: Motion to "*Refer Final Platting to the Zoning Commission for Public Hearing and Recommendation.*"

OFFICE OF
Woodbury County Planning & Zoning Director
SIXTH FLOOR • SEVENTH AND DOUGLAS STREETS - SIOUX CITY, IA 51101
John Pylelo - Planning & Zoning Director • jpylelo@sioux-city.org
Peggy Napier - Clerk II • pnapier@sioux-city.org
Telephone (712) 279-6557
Fax (712) 278-6530
http://woodburyiowa.com/departments/planningandzoning/

Date: October 16, 2015

To: Board of Supervisors.

From: John Pylelo, Planning and Zoning Director - Woodbury County

Re: ZM Addition (a Minor Subdivision)

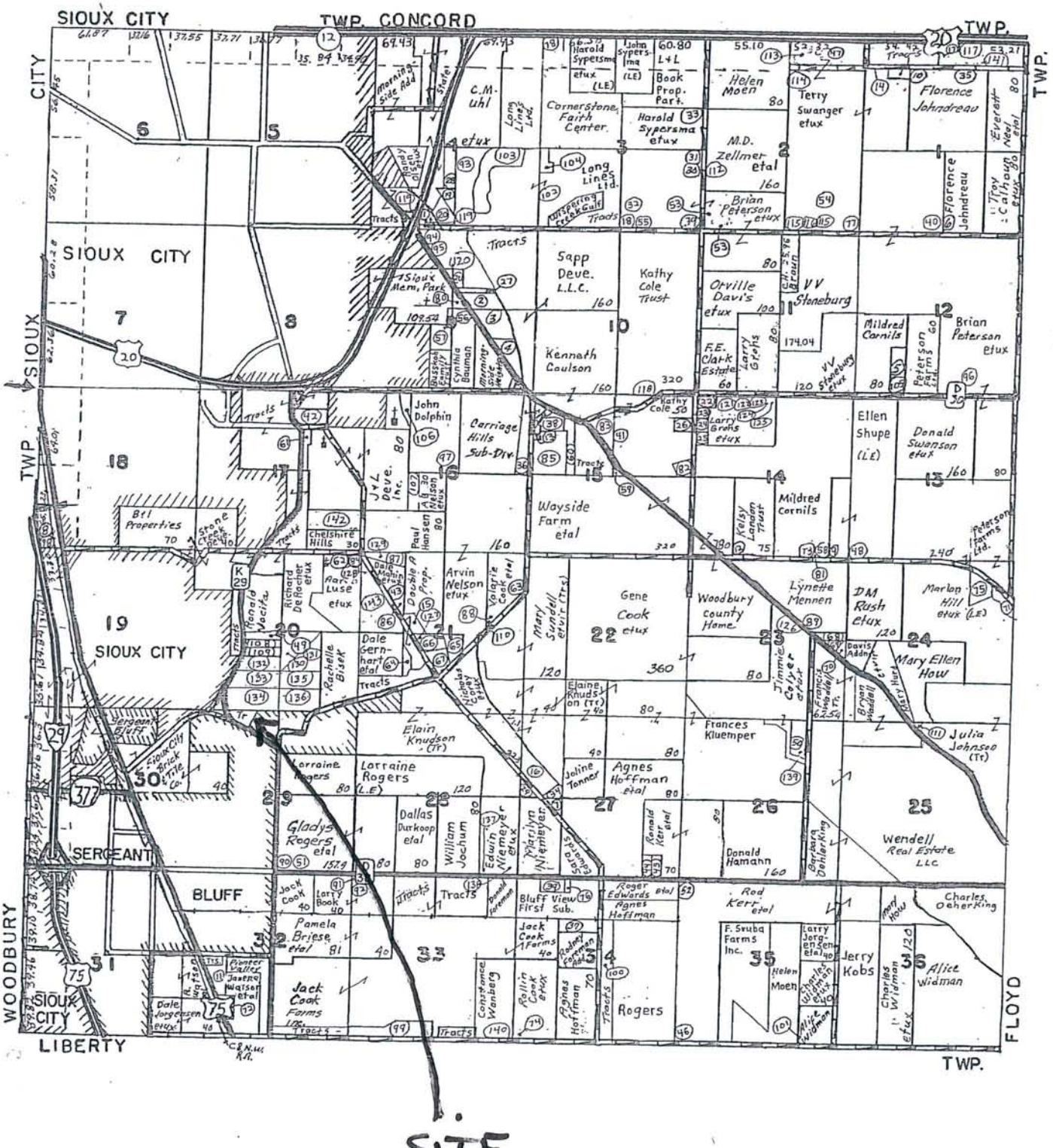
The Marilyn B. Zyzda Revocable Living Trust has filed a subdivision application and final platting proposing to subdivide 13.814 acres into two (2) lots. Marilyn B. Zyzda currently resides on the parent parcel within an existing single family dwelling addressed 5710 Old Lakeport Rd. The applicant wishes to subdivide the parcel into two lots in order the existing dwelling is located upon an independent lot. The Zyzda family desires the future ability to construct another dwelling upon the proposed second lot.

The parent parcel lies within rural Woodbury County adjacent to the City of Sioux City's eastern corporate boundary. The closest intersection is at the parent parcel's western boundary and is Old Lakeport and South Ridge Roads. Location mapping can be found on the enclosed final platting.

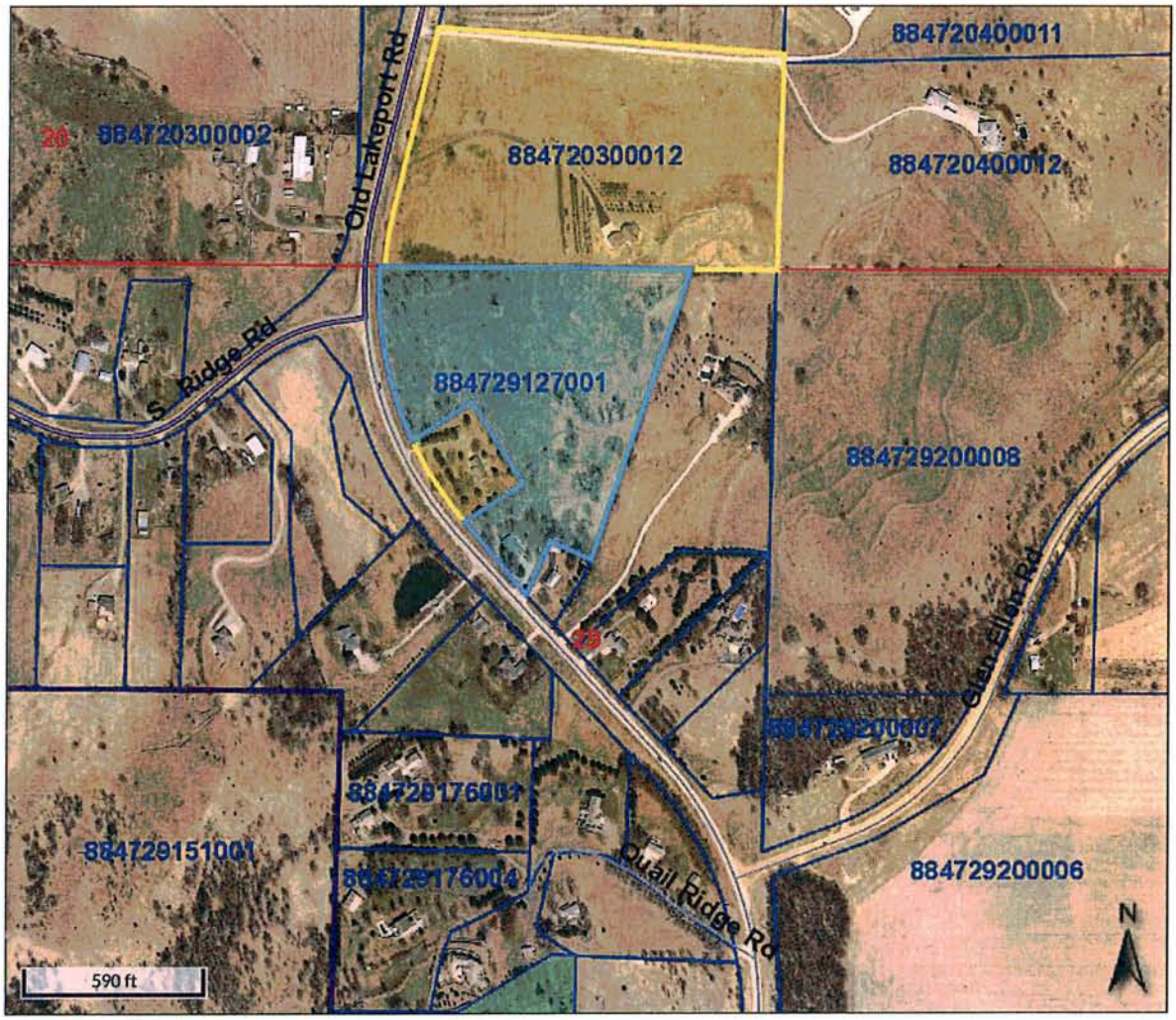
The parent parcel is zoned AE (Agricultural Estates); is not located within a special flood hazard area; and does not lie within any drainage district. The parcel is serviced by a drive addressed 5710 Old Lakeport Road. The current and proposed use of the parent parcel and its structures are classified as legal conforming uses within the AE zoning district designation and Woodbury County zoning ordinances.

WOODBURY (E.Pt.)
SIOUX CITY (S.E.Pt.)

T-88 N R-47W OF THE 5TH P.M.



Beacon™ Woodbury County, IA / Sioux City



Overview

Legend

- Roads
- Corp Boundaries
- Townships
- Sections

Residential Sales

- 2013
- 2014
- 2015
- Parcels

Parcel ID	884729127001	**Alternate ID**	000000000642570	**Owner Address**	ZYZDA MARILYN B REVOCABLE LIVING TRUST
Sec/Twp/Rng	29-88-47	**Class**	R		ZYZDA MARILYN B-TRUSTEE
Property Address	5710 OLD LAKEPORT RD WOODBURY	**Acreage**	13.3		5710 OLD LAKEPORT RD SIOUX CITY, IA 51106

District 039 WOODBURY SGT BLUFF LUTON COMM

Brief Tax Description WOODBURY TOWNSHIP
EX TCT 220 FT X 300.
05 FT AND EX A TCT 1
41.08 F T X 183.37 F
T NE NW OF IRREG 16
.5 AC TCT NE OF HWY
230 NE NW 29-88-47
(Note: Not to be used on legal documents)

Date created: 10/16/2015
Last Data Upload: 10/15/2015 11:56:53 PM

Developed by
The Schneider Corporation

Beacon™ Woodbury County, IA / Sioux City

Summary

Parcel ID	884729127001
Alternate ID	000000000642570
Property Address	5710 Old Lakeport Rd Woodbury
Sec/Twp/Rng	29-88-47
Brief Legal Description	WOODBURY TOWNSHIP EX TCT 220 FT X 300. 05 FT AND EX A TCT 1 41.08 F T X 183.37 F T NE NW OF IRREG 16 .5 AC TCT NE OF HWY 230 NE NW 29-88-47 (Note: Not to be used on legal documents)
Document(s)	DED: 730-4967 (6/27/2013)
Gross Acres	13.30
Net Acres	13.30
Exempt Acres	0.00
CSR	N/A
Class	R - Residential
Tax District	039 WOODBURY SGT BLUFF LUTON COMM
School District	SGT BLUFF LUTON

Owner

Primary Owner
(Deed Holder)
Zyzda Marilyn B Revocable Living Trust
Zyzda Marilyn B-Trustee
5710 Old Lakeport Rd
Sioux City, IA 51106
Secondary Owner

Land

Lot Area 13.30 Acres; 579,348 SF

Residential Dwellings

Residential Dwelling	
Occupancy	Single-Family / Owner Occupied
Style	1 Story Frame
Architectural Style	N/A
Year Built	1967
Condition	Normal
Grade what's this?	4+10
Roof	Asph / Hip
Flooring	L/C
Foundation	Conc
Exterior Material	WD/HD/BD
Interior Material	Drwl
Brick or Stone Veneer	
Total Gross Living Area	1,496 SF
Attic Type	None;
Number of Rooms	5 above; 2 below
Number of Bedrooms	3 above; 1 below
Basement Area Type	Full
Basement Area	1,496
Basement Finished Area	374 - Standard Finish
Plumbing	2 Base Plumbing (Full ; 1 Three Quarter Bath;
Appliances	1 Range Unit; 1 Oven - Single;
Central Air	Yes
Heat	Yes
Fireplaces	
Porches	
Decks	Concrete Patio-Med (446 SF);
Additions	
Garages	Basement Stall - 2 stalls;

Valuation

	2015	2014	2013	2012	2011
Classification	Residential	Residential	Residential	Residential	Residential
+ Assessed Land Value	$67,550	$67,550	$67,550	$67,550	$67,550
+ Assessed Building Value	$0	$0	$0	$0	$0
+ Assessed Dwelling Value	$105,190	$105,190	$105,190	$105,190	$105,190
+ Exempt Value	$0	$0	$0	$0	$0
= Gross Assessed Value	**$172,740**	**$172,740**	**$172,740**	**$172,740**	**$172,740**
- Exempt Value	$0	$0	$0	$0	$0
= Net Assessed Value	**$172,740**	**$172,740**	**$172,740**	**$172,740**	**$172,740**

Treasurer Link

Click here to view tax information for this parcel

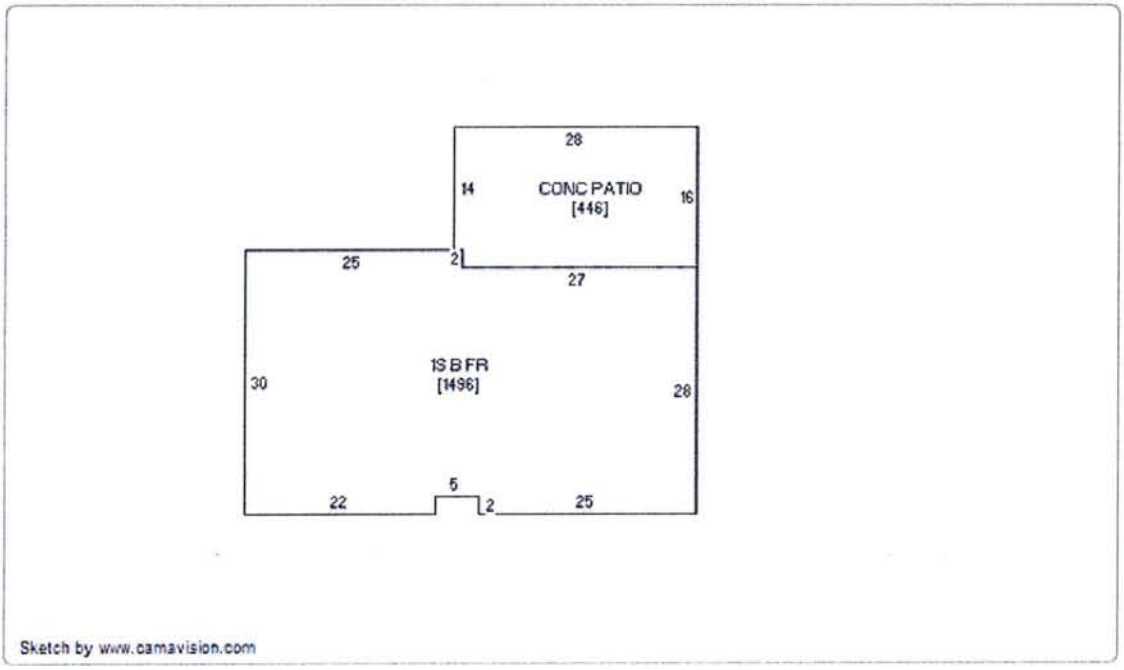
Iowa Land Records

Book-Page: 730-4967 (6/27/2013)

Data for Woodbury County between Beacon and Iowa Land Records is available on the Iowa Land Records site beginning in 1994. For records prior to 1994, contact the County Recorder or Customer Support at www.IowaLandRecords.org.

Photos

Sketches



No data available for the following modules: Commercial Buildings, Agricultural Buildings, Yard Extras, Sales, Permits, Valuation (Sioux City).

The maps and data available for access at this website are provided "as is" without warranty or any representation of accuracy, timeliness, or completeness. There are no warranties, expressed or implied, as to the appropriate use of the maps and data or the fitness for a particular purpose. The maps and associated data at this website do not represent a survey. No liability is assumed for the accuracy of the data delineated on any map, either expressed or implied.

Last Data Upload: 10/15/2015 11:56:53 PM

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#12a

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REC

Date: October 15, 2015

Weekly Agenda Date: October 20, 2015

DEPARTMENT HEAD / CITIZEN: Mark J. Nahra P.E. Secondary Roads Dept Head

SUBJECT: Cooperative Agreement with City of Salix – PCC Paving of County Route K25

ACTION REQUIRED:

Approve Ordinance ☐	Approve Resolution ☐	Approve Motion ☒
Give Direction ☐	Other: Informational ☒	Attachments ☒

Consider Approval X

WORDING FOR AGENDA ITEM: Consider approval of an agreement with the city of Salix for repaving county route K25, or Poplar Street, from I-29 interchange to Old Hwy 75.

EXECUTIVE SUMMARY: This agreement is between Woodbury County and the City of Salix for work involved with pavement replacement through town. This agreement is tied to county project STP-CO97(127)—5E-97. The project is funded partially with federal aid through the Siouxland Regional Transportation Planning Agency and city and county cost share of the local effort. The agreement lays out the project cost share for the city and county. The county engineer's office has designed the project and prepared a project cost estimate for all work within the community. The project agreement also allows the city to pay its share of the cost over 10 years at no interest. The board has made similar long term loans for highway projects to Correctionville and Smithland.

BACKGROUND: County Route K25 through Salix is a county farm to market extension and a road which is under the jurisdiction of the county board of supervisors. The county has jurisdiction on county farm to market extensions on roads in communities with populations under 500. This project is part of the State Transportation Improvement Program (STIP). The project was approved by the Siouxland Regional Transportation Planning Agency in 2012. The project will replace the oldest Portland cement concrete pavement in the county. Associated side road work is part of the project and is in compliance with ADA and FHWA requirements

FINANCIAL IMPACT: The project has $500,000 in federal aid participation. This participation pays up to 80% of project costs. The estimated local cost for the city of Salix is $55,281. The estimated cost share for Woodbury County is $234,949. The county share is paid from the county farm to market account. The county is paying the full cost of the project up front, with Salix paying their share back over 10 years.

RECOMMENDATION: Recommend approval of the agreement.

ACTION REQUIRED/PROPOSED MOTION: Motion to approve the Project Agreement with the city of Salix for the construction of project number STP-CO97(127)—5E-97.

AGREEMENT BETWEEN WOODBURY COUNTY AND THE CITY OF SALIX, IOWA

This Agreement is entered into on this 2 day of September, 2015 by and between Woodbury County, Iowa, hereafter referred to as "County", and the City of Salix, Iowa, hereafter referred to as "City", pursuant to Section 331.429(2) of the Code of Iowa.

The parties to this Agreement hereby agree as follows:

1. Woodbury County is preparing plans for a project designated as STP-CO97(127)—5E-97 hereafter referred to as the "Project". This Project involves the replacement of Portland Cement Concrete Pavement on county route K-25, or Poplar Street, from the I-29 Interchange at MP 134 east to County Route K-45, or Old Highway 75, in Woodbury County, Iowa. This is a federal aid project with partial funding provided by SRTPA, the regional planning affiliation. The county is the lead agency for federal aid project development. The county is receiving $500,000 in federal aid toward the total project costs estimated at $790,230.

2. The County will be the administrating and contracting authority for this Project. All rights of the County under the construction contract within the corporate limits of the City shall inure to the benefit of the City as if it was also the contracting authority, except for any penalty that may be assessed the Contractor due to late performance of the contract work.

3. The office of the Woodbury County Engineer shall be responsible for all office and field engineering services in connection with Project. The Project shall be constructed in accordance with the standards of the Iowa Department of Transportation. The County shall inspect for compliance of said standards and requirements.

4. The City agrees to hold harmless the County, its governing body, and all of its officials and employees from any and all claims, demands, actions, and judgments for damages arising out of or in connection with the construction of the Project. The City further agrees to indemnify the County, its officials and employees for any resulting damages which are attributable to the City that are assessed against the County or its officials and employees, and for any resulting costs which the county or any of its officials or employees become liable to pay third parties, other than the amount due the Contractor under the construction contract.

5. The County shall be responsible for procuring all permits and approvals that are necessary to construct this project.

6. The County shall be responsible for signing within the limits of this Project and shall properly place all necessary advance warning signs.

7. At the time that construction of the Project is completed and upon written notice of completion by the County, the City shall conduct its own inspection and report any perceived problems to the Woodbury County Engineer within ten (10) days of receiving notice. The City waives any and all claims of problems to the project not provided to the County Engineer thereafter.

8. Upon final acceptance of the Project, continuing maintenance on the road within the corporate limits will be in compliance with the 2004 Chapter 28E agreement signed by the city and county.

9. The City of Salix agrees to make financial contribution to Project of 20% of the project cost of the work within the corporate limits as designated on the attached cost estimate. The estimated total cost for all work within the CITY is $276,408, less the 80% federal aid share of $221, 126 leaving an estimated $55,282 to be repaid to the County. The final amount due the County will be based on field measurements and actual quantities used. The City work includes all work within the area between the travelled 22 foot lanes and the curb line per the attached estimate. The City also will pay the local share of all work to bring sidewalks and pedestrian areas into ADA compliance. Said items are also included in the attached estimate.

10. The City agrees to make a payment of 1/10th of the actual cost upon completion of the Project and acceptance by the County. The remaining amount is due and payable in Ten (10) equal annual installments of remaining balance due and payable beginning January 1, 2016, and then on January 1 every year thereafter, with a final payment due January 1, 2025. There will be no interest charged by the County on the outstanding balance. The City may pay back the balance early at the City's option.

11. The terms of this agreement shall be in perpetuity or until such time as the obligations contained in this Agreement are fully complied with.

12. The County does not waive any right or remedy which may be available to recover money due under this agreement. Upon material breach of the terms of this Agreement by the City, the County may declare the entire balance to be immediately due, and after giving the City reasonable notice and opportunity to cure the breach, the County may initiate any action or procedure to protect its interests.

13. The Agreement may be amended from time to time by written agreement of both parties.

WOODBURY COUNTY Salix/275th Street PCC PAVEMENT - REPLACE
IDOT PROJECT #STP-CO97(127)

ENGINEERS OPINION OF PROBABLE COST

				SALIX			COUNTY			TOTAL
ITEM NO.	ITEM CODE	ITEM	UNIT	TOTAL	COST/UNIT	COST	TOTAL	COST/UNIT	COST	COST
10		EXCAVATION CLASS 10 ROADWAY AND BORROW	CY	900.00	$12.00	$10,800.00	1,468.00	$12.00	$17,616.00	$28,416.00
20		MODIFIED SUBBASE PLACE ONLY	CY	623.30	$7.00	$4,363.10	1,228.89	$7.00	$8,602.23	$12,965.33
30		GRANULAR SHOULDERS, TYPE B	TON	0.00	$0.00	$0.00	550.00	$36.00	$19,800.00	$19,800.00
40		RELOCATION OF MAIL BOX	EACH	3.00	$200.00	$600.00	6.00	$200.00	$1,200.00	$1,800.00
50		CURB AND GUTTER	LF	1,213.50	$20.00	$24,270.00	0.00	$0.00	$0.00	$24,270.00
60		S/SF PCC PAVEMENT CLASS C CLASS 3 DURABILITY, 9 INCH	SY	3,892.25	$45.00	$175,151.03	7,285.80	$45.00	$327,860.96	$503,011.98
70		S/SF PCC PAVEMENT CLASS C CLASS 3 DURABILITY, 9 INCH/DRIVEWAY	SY	235.00	$45.00	$10,575.00	43.00	$45.00	$1,935.00	$12,510.00
80		PORTLAND CEMENT CONCRETE PAVEMENT SAMPLES	LS	0.00	$0.00	$0.00	1.00	$4,000.00	$4,000.00	$4,000.00
100		RUMBLE STRIP PANEL (PCC SURFACE)	EACH	3.00	$300.00	$900.00	3.00	$300.00	$900.00	$1,800.00
110		SIDEWALK REMOVAL	SY	197.00	$7.00	$1,379.00	0.00	$0.00	$0.00	$1,379.00
120		SIDEWALK PCC 4" (5") depth	SY	145.00	$50.00	$7,250.00	0.00	$0.00	$0.00	$7,250.00
130		REMOVAL AND CRUSHING OF PAVEMENT	SY	4,013.30	$9.00	$36,119.70	6,877.60	$9.00	$61,898.40	$98,018.10
140		SAFETY CLOSURE	EACH	0.00	$0.00	$0.00	11.00	$250.00	$2,750.00	$2,750.00
150		PAINTED PAVEMENT MARKINGS, HIGH BUILD WATERBORNE	STA	54.00	$20.00	$1,080.00	138.00	$20.00	$2,760.00	$3,840.00
160		TRAFFIC CONTROL	LS	0.00	$0.00	$0.00	1.00	$4,500.00	$4,500.00	$4,500.00
170		MOBILIZATION	LS	0.00	$0.00	$0.00	1.00	$60,000.00	$60,000.00	$60,000.00
180	2511-7528101	DETECTABLE WARNING PANELS	SF	112	$35.00	$3,920.00	0.00	$0.00	$0.00	$3,920.00
					SALIX	$276,407.83	TOTAL OPINION OF PROBABLE COST =			$790,230.41

	Total	Federal Aid	Local Cost
SALIX TOTAL	$ 276,407.83	$ 221,126.26	$ 55,281.57
WOODBURY	$ 513,822.59	$ 278,873.74	$ 234,948.85
Total Federal aid		$ 500,000.00	

WOODBURY COUNTY

_____ _____

Mark A. Monson, Chairperson, Board of Supervisors Date

I hereby certify that the above and foregoing agreement was duly and legally passed by the Board of Supervisors of Woodbury County, Iowa, and properly included in the minutes of the meeting on the _____ day of _____, 2015

_____ _____

Patrick Gill, County Auditor Date

CITY OF SALIX

Linda M. Cox 9/2/2015

Mayor, City of Salix Date

I, Barbara Parker, certify that I am the Clerk of the CITY, and that Linda M. Cox

Who signed said Agreement for and on behalf of the CITY was authorized to execute the same by virtue of a formal Resolution passed and adopted by the CITY, on the 2 day of Sept, 2015.

Barbara Parker Oct 8, 2015

City Clerk of Salix Date

#12b

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ

Date: October 15, 2015

Weekly Agenda Date: October 20, 2015

DEPARTMENT HEAD / CITIZEN: Mark J. Nahra P.E. Secondary Roads Dept Head

SUBJECT: Federal Aid Agreement with Iowa Department of Transportation – PCC Paving of County Route K25

ACTION REQUIRED:

Approve Ordinance ☐	Approve Resolution ☐	Approve Motion ☒
Give Direction ☐	Other: Informational ☒	Attachments ☒

Consider Approval X

WORDING FOR AGENDA ITEM: Consider approval of a federal aid participation agreement for project STP-CO97(127)—5E-97 for repaving county route K25, or Poplar Street, from I-29 interchange to Old Hwy 75.

EXECUTIVE SUMMARY: This agreement is between Woodbury County and the Iowa Department of Transportation for work involved with pavement replacement on county route K25. The project is funded partially with federal aid through the Siouxland Regional Transportation Planning Agency and city and county cost share of the local effort.

BACKGROUND: County Route K25 through Salix is a county farm to market extension and a road which is under the jurisdiction of the county board of supervisors. The county has jurisdiction on county farm to market extensions on roads in communities with populations under 500. This project is included in the State Transportation Improvement Program (STIP). The project was approved by the Siouxland Regional Transportation Planning Agency in 2012. The project will replace the oldest Portland cement concrete pavement in the county. Associated side road work is part of the project and is in compliance with ADA and FHWA requirements

FINANCIAL IMPACT: The project has $500,000 in federal aid participation. This participation pays up to 80% of project costs. The estimated local cost for the city of Salix is $55,281. The estimated cost share for Woodbury County is $234,949. The county share is paid from the county farm to market account. The county is paying the full cost of the project up front, with Salix paying their share back over 10 years.

RECOMMENDATION: Recommend approval of the agreement.

ACTION REQUIRED/PROPOSED MOTION: Motion to approve the Project Agreement with the Iowa Department of Transportation for the construction of project number STP-CO97(127)—5E-97.

September 2012

IOWA DEPARTMENT OF TRANSPORTATION
Federal-aid Agreement
for a Surface Transportation Program Project

Recipient: Woodbury County

Project No.: STP-S-C097(127)--5E-97

Iowa DOT Agreement No.: 03-15-STPS-021

CFDA No. and Title: 20.205 Highway Planning and Construction

This is an agreement between the Board of Supervisors for Woodbury County, Iowa (hereinafter referred to as the Recipient) and the Iowa Department of Transportation (hereinafter referred to as the Department). Iowa Code Sections 306A.7 and 307.44 provide for the Recipient and the Department to enter into agreements with each other for the purpose of financing transportation improvement projects on streets and highways in Iowa with Federal funds. Federal regulations require Federal funds to be administered by the Department.

The Recipient has received Federal funding through the Surface Transportation Program (STP), which was continued by the Moving Ahead for Progress in the 21st Century (MAP-21), Public Law 112-141, now codified at Section 133(b) of Title 23, United States Code (U.S.C.). STP funds are available for construction, reconstruction, rehabilitation, resurfacing, restoration and operational or safety improvement projects on Federal-aid highways, bridges on any public road, and several other types of projects, as specified in 23 U.S.C. 133(b). Federal-aid highways include all Federal Functional Classifications, except for rural minor collectors or local roads.

Pursuant to the terms of this agreement, applicable statutes, and administrative rules, the Department agrees to provide STP funding to the Recipient for the authorized and approved costs for eligible items associated with the project.

Under this agreement, the parties further agree as follows:

1. The Recipient shall be the lead local governmental agency for carrying out the provisions of this agreement.

2. All notices required under this agreement shall be made in writing to the appropriate contact person. The Department's contact person will be the District 3 Local Systems Engineer. The Recipient's contact person shall be the County Engineer.

3. The Recipient shall be responsible for the development and completion of the following described STP project:

   Pavement replacement - PCC on Poplar Street (K25) from I-29 interchange east to K-45 intersection

4. Eligible project activities will be limited to the following: construction, engineering, inspection, and right-of-way acquisition. Under certain circumstances, eligible activities may also include utility relocation or railroad work that is required for construction of the project.

5. The Recipient shall receive reimbursement for costs of authorized and approved eligible project activities from STP funds. The portion of the project costs reimbursed by STP funds shall be limited to a maximum of either 80 percent of eligible costs or the amount stipulated in the Siouxland Regional Transportation Planning Assoc. current Transportation Improvement Program (TIP) and approved in the current Statewide Transportation Improvement Program (STIP), whichever is less.

6. If the project described in Section 3. drops out of the Siouxland Regional Transportation Planning Assoc. current TIP or the approved current STIP prior to obligation of Federal funds, and the Recipient fails to reprogram the project in the appropriate TIP and STIP within 3 years, this agreement shall become null and void.

7. The Recipient shall let the project for bids through the Department.

8. If any part of this agreement is found to be void and unenforceable, the remaining provisions of this agreement shall remain in effect.

9. It is the intent of both parties that no third party beneficiaries be created by this agreement.

10. This agreement shall be executed and delivered in two or more copies, each of which so executed and delivered shall be deemed to be an original and shall constitute but one and the same agreement.

11. This agreement and the attached Exhibit 1 constitute the entire agreement between the Department and the Recipient concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement shall be made in the form of an addendum to this agreement. The addendum shall become effective only upon written approval of the Department and the Recipient.

IN WITNESS WHEREOF, each of the parties hereto has executed this agreement as of the date shown opposite its signature below.

City Signature Block (City Projects Only)

By_____ Date _____, 20_____

_____
Title of city official

I,_____, certify that I am the City Clerk of (City Name), and that_____, who signed said Agreement for and on behalf of the city was duly authorized to execute the same by virtue of a formal resolution duly passed and adopted by the city on the _____ day of _____, 20_____.

Signed_____ Date _____, 20_____

City Clerk of (City Name), Iowa

County Signature Block (County Projects Only)

This agreement was approved by official action of the Woodbury County Board of Supervisors in official session on the _____day of _____, 20_____.

_____ _____
County Auditor Chair, County Board of Supervisors

IOWA DEPARTMENT OF TRANSPORTATION
Highway Division

By_____ Date _____, 20_____
Brian J. Catus, P.E.
Local Systems Engineer
District 3

EXHIBIT 1

General Agreement Provisions for use of Federal Highway Funds on Non-primary Projects

Unless otherwise specified in this agreement, the Recipient shall be responsible for the following:

1. General Requirements.

a. The Recipient shall take the necessary actions to comply with applicable State and Federal laws and regulations. To assist the Recipient, the Department has provided guidance in the Federal-aid Project Development Guide (Guide) and the Instructional Memorandums to Local Public Agencies (I.M.s) that are referenced by the Guide. Both are available on-line at: http://www.iowadot.gov/local_systems/publications/im/lpa_ims.htm. The Recipient shall follow the applicable procedures and guidelines contained in the Guide and I.M.s in effect at the time project activities are conducted.

b. In accordance with Title VI of the Civil Rights Act of 1964 and associated subsequent nondiscrimination laws, regulations, and executive orders, the Recipient shall not discriminate against any person on the basis of race, color, national origin, sex, age, or disability. In accordance with Iowa Code Chapter 216, the Recipient shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability. The Recipient agrees to comply with the requirements outlined in I.M. 1.070, Title VI and Nondiscrimination Requirements.

c. The Recipient shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), the associated Code of Federal Regulations (CFR) that implement these laws, and the guidance provided in I.M. 1.080, ADA Requirements. When pedestrian facilities are constructed, reconstructed, or altered, the Recipient shall make such facilities compliant with the ADA and Section 504.

d. To the extent allowable by law, the Recipient agrees to indemnify, defend, and hold the Department harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of this project. This agreement to indemnify, defend, and hold harmless applies to all aspects of the Department's application review and approval process, plan and construction reviews, and funding participation.

e. As required by the 49 CFR 18.26, the Recipient is responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S. c. 7501-7507) and Subpart F of 2 CFR 200. Subpart F of 2 CFR 200 stipulates that non-Federal entities expending $750,000 or more in Federal awards in a year shall have a single or program-specific audit conducted for that year in accordance with the provision of that part. Auditee responsibilities are addressed in Subpart F of 2 CFR 200. The Federal funds provided by this agreement shall be reported on the appropriate Schedule of Expenditures of Federal Awards (SEFA) using the Catalog of Federal Domestic Assistance (CFDA) number and title as shown on the first page of this agreement. If the Recipient will pay initial project costs and request reimbursement from the Department, the Recipient shall report this project on its SEFA. If the Department will pay initial project costs and then credit those accounts from which initial costs were paid, the Department will report this project on its SEFA. In this case, the Recipient shall not report this project on its SEFA.

f. The Recipient shall supply the Department with all information required by the Federal Funding Accountability and Transparency Act of 2006 and 2 CFR Part 170,

g. The Recipient shall comply with the following Disadvantaged Business Enterprise (DBE) requirements:

i. The Recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts.

ii. The Recipient shall comply with the requirements of I.M. 3.710, DBE Guidelines.

iii. The Department's DBE program, as required by 49 CFR Part 26 and as approved by the Federal Highway Administration (FHWA), is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this

agreement. Upon notification to the Recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

h. Termination of funds. Notwithstanding anything in this agreement to the contrary, and subject to the limitations set forth below, the Department shall have the right to terminate this agreement without penalty and without any advance notice as a result of any of the following: 1) The Federal government, legislature or governor fail in the sole opinion of the Department to appropriate funds sufficient to allow the Department to either meet its obligations under this agreement or to operate as required and to fulfill its obligations under this agreement; or 2) If funds are de-appropriated, reduced, not allocated, or receipt of funds is delayed, or if any funds or revenues needed by the Department to make any payment hereunder are insufficient or unavailable for any other reason as determined by the Department in its sole discretion; or 3) If the Department's authorization to conduct its business or engage in activities or operations related to the subject matter of this agreement is withdrawn or materially altered or modified. The Department shall provide the Recipient with written notice of termination pursuant to this section.

2. Programming and Federal Authorization.

a. The Recipient shall be responsible for including the project in the appropriate Regional Planning Affiliation (RPA) or Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP). The Recipient shall also ensure that the appropriate RPA or MPO, through their TIP submittal to the Department, includes the project in the Statewide Transportation Improvement Program (STIP). If the project is not included in the appropriate fiscal year of the STIP, Federal funds cannot be authorized.

b. Before beginning any work for which Federal funding reimbursement will be requested, the Recipient shall contact the Department to obtain the procedures necessary to secure FHWA authorization. The Recipient shall submit a written request for FHWA authorization to the Department. After reviewing the Recipient's request, the Department will forward the request to the FHWA for authorization and obligation of Federal funds. The Department will notify the Recipient when FHWA authorization is obtained. The cost of work performed prior to FHWA authorization will not be reimbursed with Federal funds.

3. Federal Participation in Work Performed by Recipient Employees.

a. If Federal reimbursement will be requested for engineering, construction inspection, right-of-way acquisition or other services provided by employees of the Recipient, the Recipient shall follow the procedures in I.M. 3.310, Federal-aid Participation in In-House Services.

b. If Federal reimbursement will be requested for construction performed by employees of the Recipient, the Recipient shall follow the procedures in I.M. 3.810, Federal-aid Construction by Local Agency Forces.

c. If the Recipient desires to claim indirect costs associated with work performed by its employees, the Recipient shall prepare and submit to the Department an indirect cost rate proposal and related documentation in accordance with the requirements of 2 CFR 225. Before incurring any indirect costs, such indirect cost rate proposal shall be certified by the FHWA or the Federal agency providing the largest amount of Federal funds to the Recipient.

4. Design and Consultant Services

a. The Recipient shall be responsible for the design of the project, including all necessary plans, specifications, and estimates (PS&E). The project shall be designed in accordance with the design guidelines provided or referenced by the Department in the Guide and applicable I.M.s.

b. If the Recipient requests Federal funds for consultant services, the Recipient and the Consultant shall prepare a contract for consultant services in accordance with 23 CFR Part 172. These regulations require a qualifications-based selection process. The Recipient shall follow the procedures for selecting and using consultants outlined in I.M. 3.305, Federal-aid Participation in Consultant Costs.

c. If Preliminary Engineering (PE) work is Federally funded, and if right-of-way acquisition or actual construction of the road is not started by the close of the tenth fiscal year following the fiscal year in which the Federal funds were authorized, the Recipient shall repay to the Department the amount of Federal funds reimbursed to the Recipient for such PE work. PE includes work that is part of the development of the PS&E for a construction project. This includes environmental studies and documents, preliminary design, and final design up through and including the preparation of bidding documents. PE does not include planning or other activities that are not intended to lead to a construction project. Examples include planning, conceptual, or feasibility studies.

5. Environmental Requirements and other Agreements or Permits.

a. The Recipient shall take the appropriate actions and prepare the necessary documents to fulfill the FHWA requirements for project environmental studies including historical/cultural reviews and location approval. The Recipient shall complete any mitigation agreed upon in the FHWA approval document. These procedures are set forth in I.M. 3.105, Concept Statement Instructions, 3.110, Environmental Data Sheet Instructions, 3.112, FHWA Environmental Concurrence Process, and 3.114, Cultural Resource Guidelines.

b. If farmland is to be acquired, whether for use as project right-of-way or permanent easement, the Recipient shall follow the procedures in I.M. 3.120, Farmland Protection Policy Act Guidelines.

c. The Recipient shall obtain project permits and approvals, when necessary, from the Iowa Department of Cultural Affairs (State Historical Society of Iowa; State Historic Preservation Officer), Iowa Department of Natural Resources, U.S. Coast Guard, U.S. Army Corps of Engineers, the Department, or other agencies as required. The Recipient shall follow the procedures in I.M. 3.130, 404 Permit Process, 3.140, Storm Water Permits, 3.150, Highway Improvements in the Vicinity of Airports or Heliports, and 3.160, Asbestos Inspection, Removal and Notification Requirements.

d. In all contracts entered into by the Recipient, and all subcontracts, in connection with this project that exceed $100,000, the Recipient shall comply with the requirements of Section 114 of the Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all their regulations and guidelines. In such contracts, the Recipient shall stipulate that any facility to be utilized in performance of or to benefit from this agreement is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities or is under consideration to be listed.

6. Right-of-Way, Railroads and Utilities.

a. The Recipient shall acquire the project right-of-way, whether by lease, easement, or fee title, and shall provide relocation assistance benefits and payments in accordance with the procedures set forth in I.M. 3.605, Right-of-Way Acquisition, and the Department's Office of Right of Way Local Public Agency Manual. The Recipient shall contact the Department for assistance, as necessary, to ensure compliance with the required procedures, even if no Federal funds are used for right-of-way activities. The Recipient shall obtain environmental concurrence before acquiring any needed right-of-way. With prior approval, hardship and protective buying is possible. If the Recipient requests Federal funding for right-of-way acquisition, the Recipient shall also obtain FHWA authorization before purchasing any needed right-of-way.

b. If the project right-of-way is Federally funded and if the actual construction is not undertaken by the close of the twentieth fiscal year following the fiscal year in which the Federal funds were authorized, the Recipient shall repay the amount of Federal funds reimbursed for right-of-way costs to the Department.

c. If a railroad crossing or railroad tracks are within or adjacent to the project limits, the Recipient shall obtain agreements, easements, or permits as needed from the railroad. The Recipient shall follow the procedures in I.M. 3.670, Work on Railroad Right-of-Way, and I.M. 3.680, Federal-aid Projects Involving Railroads.

d. The Recipient shall comply with the Policy for Accommodating Utilities on City and County Federal-aid Highway Right of Way for projects on non-primary Federal-aid highways. For projects connecting to or involving some work inside the right-of-way for a primary highway, the Recipient shall follow the Iowa DOT Policy for Accommodating Utilities on Primary Road System. Certain utility relocation, alteration,

adjustment, or removal costs to the Recipient for the project may be eligible for Federal funding reimbursement. The Recipient should also use the procedures outlined in I.M. 3.640, Utility Accommodation and Coordination, as a guide to coordinating with utilities.

e. If the Recipient desires Federal reimbursement for utility costs, it shall submit a request for FHWA Authorization prior to beginning any utility relocation work, in accordance with the procedures outlined in I.M. 3.650, Federal-aid Participation in Utility Relocations.

7. Contract Procurement.

The following provisions apply only to projects involving physical construction or improvements to transportation facilities:

a. The project plans, specifications, and cost estimate (PS&E) shall be prepared and certified by a professional engineer or architect, as applicable, licensed in the State of Iowa.

b. For projects let through the Department, the Recipient shall be responsible for the following:

   i. Prepare and submit the PS&E and other contract documents to the Department for review and approval in accordance with I.M. 3.505, Check and Final Plans and I.M. 3.510, Check and Final Bridge or Culvert Plans, as applicable.

   ii. The contract documents shall use the Department's Standard Specifications for Highway and Bridge Construction. Prior to their use in the PS&E, specifications developed by the Recipient for individual construction items shall be approved by the Department

   iii. Follow the procedures in I.M. 3.730, Iowa DOT Letting Process, to analyze the bids received, make a decision to either award a contract to the lowest responsive bidder or reject all bids, and if a contract is awarded, execute the contract documents and return to Department.

c. For projects that are let locally by the Recipient, the Recipient shall follow the procedures in I.M. 3.720, Local Letting Process, Federal-aid.

d. The Recipient shall forward a completed Project Development Certification (Form 730002) to the Department in accordance with I.M. 3.750, Project Development Certifications Instructions. The project shall not receive FHWA Authorization for construction or be advertized for bids until after the Department has reviewed and approved the Project Development Certification.

e. If the Recipient is a city, the Recipient shall comply with the public hearing requirements of the Iowa Code section 26.12.

f. The Recipient shall not provide the contractor with notice to proceed until after receiving written notice the Iowa DOT has concurred in the contract award.

8. Construction.

a. A full-time employee of the Recipient shall serve as the person in responsible charge of the construction project. For cities that do not have any full time employees, the mayor or city clerk will serve as the person in responsible charge, with assistance from the Department.

b. Traffic control devices, signing, or pavement markings installed within the limits of this project shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways" per 761 IAC Chapter 130. The safety of the general public shall be assured through the use of proper protective measures and devices such as fences, barricades, signs, flood lighting, and warning lights as necessary.

c. For projects let through the Department, the project shall be constructed under the Department's Standard Specifications for Highway and Bridge Construction and the Recipient shall comply with the procedures and responsibilities for materials testing according to the Department's Materials I.M.s. Available on-line at: http://www.iowadot.gov/erl/current/IM/navigation/nav.htm.

d. For projects let locally, the Recipient shall provide materials testing and certifications as required by the approved specifications.

e. If the Department provides any materials testing services to the Recipient, the Department will bill the Recipient for such testing services according to its normal policy as per Materials I.M. 103.

f. The Recipient shall follow the procedures in I.M. 3.805, Construction Inspection, and the Department's Construction Manual, as applicable, for conducting construction inspection activities.

9. Reimbursements.

a. After costs have been incurred, the Recipient shall submit to the Department periodic itemized claims for reimbursement for eligible project costs. Requests for reimbursement shall be made at least annually but not more than bi-weekly.

b. To ensure proper accounting of costs, reimbursement requests for costs incurred prior to June 30 shall be submitted to the Department by August 1 if possible, but no later than August 15.

c. Reimbursement claims shall include a certification that all eligible project costs, for which reimbursement is requested, have been reviewed by an official or governing board of the Recipient, are reasonable and proper, have been paid in full, and were completed in substantial compliance with the terms of this agreement.

d. The Department will reimburse the Recipient for properly documented and certified claims for eligible project costs. The Department may withhold up to 5% of the Federal share of construction costs or 5% of the total Federal funds available for the project, whichever is less. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final audit or review, the Department determines the Recipient has been overpaid, the Recipient shall reimburse the overpaid amount to the Department. After the final audit or review is complete and after the Recipient has provided all required paperwork, the Department will release the Federal funds withheld.

e. The total funds collected by the Recipient for this project shall not exceed the total project costs. The total funds collected shall include any Federal or State funds received, any special assessments made by the Recipient (exclusive of any associated interest or penalties) pursuant to Iowa Code Chapter 384 (cities) or Chapter 311 (counties), proceeds from the sale of excess right-of-way, and any other revenues generated by the project. The total project costs shall include all costs that can be directly attributed to the project. In the event that the total funds collected by the Recipient does exceed the total project costs, the Recipient shall either:

1) in the case of special assessments, refund to the assessed property owners the excess special assessments collected (including interest and penalties associated with the amount of the excess), or

2) refund to the Department all funds collected in excess of the total project costs (including interest and penalties associated with the amount of the excess) within 60 days of the receipt of any excess funds. In return, the Department will either credit reimbursement billings to the FHWA or credit the appropriate State fund account in the amount of refunds received from the Recipient.

10. Project Close-out.

a. Within 30 days of completion of construction and / or other activities authorized by this agreement, the Recipient shall provide written notification completed pre-audit checklist to the Department. The Recipient shall follow and request a final audit, in accordance with the procedures in I.M. 3.910, Final Review, Audit, and Close-out Procedures for Federal-aid Projects.

b. For construction projects, the Recipient shall provide a certification by a professional engineer or architect, as applicable, licensed in the State of Iowa, indicating the construction was completed in substantial compliance with the project plans and specifications.

c. Final reimbursement of Federal funds shall be made only after the Department accepts the project as complete.

d. The Recipient shall maintain all books, documents, papers, accounting records, reports, and other evidence pertaining to costs incurred for the project. The Recipient shall also make these materials available at all reasonable times for inspection by the Department, FHWA, or any authorized representatives of the Federal Government. Copies of these materials shall be furnished by the Recipient if requested. Such documents shall be retained for at least 3 years from the date of FHWA approval of the final closure document. Upon receipt of FHWA approval of the final closure document, the Department will notify the Recipient of the record retention date.

e. The Recipient shall maintain, or cause to be maintained, the completed improvement in a manner acceptable to the Department and the FHWA.

#12C

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ

Date: October 15, 2015

Weekly Agenda Date: October 20, 2015

DEPARTMENT HEAD / CITIZEN: Mark J. Nahra P.E. Secondary Roads Dept Head

SUBJECT: **Consideration of permit for overhead or underground utilities in the Highway Right of Way.**

ACTION REQUIRED:

Approve Ordinance ☐	Approve Resolution ☐	Approve Motion ☒
Give Direction ☐	Other: Informational ☐	Attachments ☒

Consideration X

WORDING FOR AGENDA ITEM: Consideration of permit for installation of underground electric lines within the Highway Right of Way for MidAmerican Energy on 225th Street.

EXECUTIVE SUMMARY: Permittee working within right of way on a utility project.

BACKGROUND: Work in the county ROW requires a permit from the Board of Supervisors per section 318.8 of the Code of Iowa.

FINANCIAL IMPACT: None

RECOMMENDATION: Recommend approval of application.

ACTION REQUIRED/PROPOSED MOTION: Motion to approve permit to work place underground utilities in the right of way for MidAmerican Energy.

Approved by Board of Supervisors March 3, 2015.

Woodbury County Permit No._____

PERMIT FOR USE OF COUNTY ROAD/HIGHWAY RIGHT-OF-WAY FOR OVERHEADAND/OR BURIED UTILITIES ACCOMMODATION

REQUEST BY APPLICANT:

Name DEAN BURGER, P.E.

Address 223 S. IOWA, SIOUX CITY, IA 51101

Highway 225TH STREET
Township WEST LIBERTY
City of SIOUX CITY

Office Phone 712 233-4865 Local Phone 712-574-2135
Type of Utility Installation #6 STRANDED COPPER WIRE + ANODES
Plans Prepared By DEAN BURGER, P.E.
Map Showing Location Enclosed X Yes ___ No
Utility Location is _____ cross right-of-way X parallel to right-of-way
_____ overhead _____ underground

Section: S½ ¼ of NW¼ Sec 6
T 87 N, R 47 W
Copy Enclosed X Yes ___ No

Proposed Method of Installation

_____ tunnel	_____ suspend on poles	_____ cased
_____ jack & bore	_____ suspend on towers	X trench
X open cut	_____ plow	

Estimated Starting Date 11/1/2015 Estimated Restoration Date 11/15/2015

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions listed on the reverse side hereof, and special provisions listed below or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof. Applicant is to complete in triplicate and send all copies including plans and maps to Woodbury County Engineer, Room 502 Courthouse Sioux City, Iowa 51101. One executed copy will be returned to the Applicant.

By _____ P.E.
(Signature of Authorized Utility Representative)

Title ENGINEER

Date 10/5/2015

PERMIT APPROVAL BY PERMITTING AUTHORITY

The forgoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated herein and on the reverse side hereof and all attachments hereto.

By _____
(Signature of Woodbury County Board Chairman)

Title _____

Date _____

Other Special Provisions:

Permit Provisions and Conditions of Issuance

1. The County and/or the County Board of Supervisors will not be charged with any responsibility for damages to the Applicant's property occasioned by any construction or maintenance operations on said county roads, including new or additional right-of-way acquired in connection therewith, subsequent to the building of the Applicants facilities. The Board will endeavor to give the Applicant sufficient notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way, that is likely to expose, cover up, or disturb any facilities belong to the Applicant, in order that the Applicant may arrange to protect the facilities. The Board will inform contractors, and others working on the job of the location of the facilities so that reasonable care may be taken to avoid damaging the facilities, however the County and the Board of Supervisors will assume no responsibility for failure to give such notice.

#13a

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) RE

Date: October 13, 2015

Weekly Agenda Date: October 20, 2015

DEPARTMENT HEAD / CITIZEN: Supervisor Jeremy Taylor

SUBJECT: **Siouxland District Health**

ACTION REQUIRED:

Approve Ordinance ☐ Approve Resolution ☐ Approve Motion ☐

Give Direction ☐ Other: Informational ☒ Attachments ☐

WORDING FOR AGENDA ITEM: Siouxland District Health CIP Item

EXECUTIVE SUMMARY: In order to strike a balance between a CIP item that was pushed back a fiscal year, the Board of Supervisors may recommend or endorse an approximate $266,000 being kept by the Siouxland District Board of Health over the 25% reserve level. Doing so would allow them to stay on the timeline for needed services and mean that we do not have to bond for the project.

BACKGROUND: The District Board of Health has a project that initially called for $300,000. The project grew to over $470,000, and the District Board of Health Director Kevin Grieme believed that there was enough in their Health Fund to keep the CIP request to the Board at the level of $300,000 in February.

I cautioned at both the District Board of Health and in reporting back during committee meetings that this project was tenuous for the following reasons: a pending MRHD application (which was denied in just the past two weeks) the Board of Supervisors was engaging a long-term Master Facility Plan study of all buildings between March and May; Supervisors had not toured and received an extensive scope of the project for this county facility (completed in September-October); the Board was going to go through a retooling of the CIP process with a better decision-making process. Kevin Grieme had reported that the Board of Health was included in the CIP because of a reversion of funds beyond 25%, and this had been initially approved in February 2015.

According to our Budget Analyst Dennis Butler, our current auditors have not changed the projection of $266,000 being left over and above the 25% "reserve" of Siouxland District Health. My understanding from Kevin Grieme about a 2010 Iowa Code provision mandating a reversion of funds above 20% is that our Board of Health is the only one grandfathered in to not having to comply with the requirement under the Iowa Code. My understanding from Dennis Butler, our Budget Analyst, is that the county recommendation of 22% has been exceeded to (and agreed upon) at 25% simply for the 3% regarded as necessary for Capital Improvement.

Endorsing or recommending the Siouxland District Board of Health keep the reversion of funds above a certain threshold this year—and this year only—will keep them on their timeline and possibly even allow for lower total project cost implementation. It also respects their place in being influx and will not have a detrimental impact on their service reconfiguration.

FINANCIAL IMPACT: Recommendation or endorsement of $266,000 is what the funding amount would be over 25%.

RECOMMENDATION: Seek guidance from our County Attorney and have a discussion about the logistics. This is a good faith compromise that recognizes the reality of the in-flux nature of CIP and long-term facility planning including the necessity of moving on the LED lighting project as well as helping Siouxland District Health stay on track.

ACTION REQUIRED: None but anticipated the following week.

To: Jeremy Taylor, County Supervisor

From: Dennis Butler, Finance/Operations Controller

Date: October 8, 2015

RE: District Health Fund Carryovers

District Health Fund
June 30, 2015 Accrued Carryover Funds

Our County Financial Policies state that the County will try and maintain a carryover balance at 22% for General Fund. This would seem reasonable for other funds to follow this 22% carryover.

In reviewing the cash Carryover in the District Health Fund, the carryover amounts to $1,614,678 or 29.94%. According to Chapter 137.112 of the Iowa Code 2014, the maximum amount is to be 20%. Legislative action changed this requirement for any District Health Department with no % attached to the carryover funds if the District was in existence prior to May 2012 and applies retroactively to July 1, 2010. If the District Health Board wants a 25% carryover reserve than the County would receive back $266,344.

Accrued Expenses (audited) for FY 2015	5,393,338
Carryover at 25% of Accrued Expenses	1,348,334
Actual Accrued Carryover per audit	1,614,678
Difference between Actual and 25%	266,344

This could be returned to the County in two ways:

(1) Do a cash transfer from the District Health Fund to the General Basic Fund in the amount of $266,344.

(2) Reduce the allocation from the General Basic Fund (line item 001-3041-430-4815) in the amount of $266,344.

Also there is a potential Capital Improvement Project to the District Health building of approximately $475,000. As the building is County owned, this project should fall under the County's CIP Fund. All improvements have to be approved by the District Health Board and the County Board of Supervisors.

Hope this explains both areas of discussion. I will be available at any time if there are questions

137.112 District public health fund — budget.

1. The district treasurer shall establish a district public health fund from which disbursements may be made in the manner specified for disbursements by law for the disbursement of county funds.

2. All moneys received by a district board or district health department for local public health purposes from federal appropriations, state appropriations, local appropriations, fees, gifts, grants, bequests, or other sources shall be deposited in the district public health fund. Expenditures shall be made from the fund on order of the district board for the purpose of carrying out its duties. No more than twenty percent of the unexpended balance remaining in the fund at the end of each fiscal year shall be maintained in the district public health fund. The remainder of the unexpended balance shall revert to the general funds of the member counties in the manner determined by the district board.

3. The district board shall adopt and certify an annual budget in accordance with **section 24.17** relating to certification of budgets and **section 24.27** relating to protesting budgets.

4. **This section** does not apply to any district board of health or district health department in existence prior to July 1, 2010.

2010 Acts, ch **1036, §12**; 2012 Acts, ch **1113, §17, 20, 21**

Subsection 4 takes effect May 2, 2012, and applies retroactively to July 1, 2010; 2012 Acts, ch **1113, §20, 21**

#13b

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REC

Date: October 13, 2015

Weekly Agenda Date: October 20, 2015

DEPARTMENT HEAD / CITIZEN: Supervisor Jeremy Taylor

SUBJECT: **Prairie Hills Closure and LEC Expansion**

ACTION REQUIRED:

Approve Ordinance ☐ Approve Resolution ☐ Approve Motion ☒

Give Direction ☐ Other: Informational ☐ Attachments ☐

WORDING FOR AGENDA ITEM: Prairie Hills Closure and LEC Expansion

EXECUTIVE SUMMARY: There has been extensive discussion on closing Prairie Hills throughout the years. This year, the Board of Supervisors put on hold two new boilers and a domestic hot water system totaling over $105,000 in order to gauge the long-term life of this building. Through over 5 hours of meetings on three separate occasions, an *ad hoc* committee comprising the Sheriff, MAJ Wieck and MAJ Todd, LT Harmon and LT Phillips, Chairman Mark Monson, Supervisor Jeremy Taylor, Building Superintendent Kenny Schmitz, and representatives from the Baker Group, and CBM which utilizes the Prairie Hills kitchen facility, have explored options. The cost of keeping Prairie Hills open the next 10 years will be over **$1,281,893**, which will not settle long-term issues. This money could be better utilized to address overcrowding issues at the jail.

BACKGROUND: Please see the following notes, from which these conclusions can be drawn:

Prairie Hills serves three purposes currently: Work Release, a kitchen from which meals are served resulting in a lower cost per meal, and both a site of training and maintenance for the Sheriff's Department.

Prairie Hills is not being utilized for Work Release and a much better, viable alternative is truly 24/7.

In order to renovate with safety, fire codes, and structural integrity, the building needs roughly $2.2 million worth of work just to maintain the first level/new addition or $8.8 million to completely renovate the entire building, which would have to go to a bond vote and most likely would not pass even if the

Board sought such direction. To preserve just the existing training center would cost between $700,000-$987,000. While this is under the bond threshold, it does not satisfy overcrowding issues.

The building has had severe issues and degradation throughout the years and is to the point where operationally, settlement issues, the stack is a huge liability. Other HVAC problems will cost taxpayers much more in the long-run than the proverbial "kicking the can down the road."

Please see the attached three documents of notes as a result of the three meetings.

FINANCIAL IMPACT: See Baker Group proposal

RECOMMENDATION: The Board approve a motion to allow the Baker Group to study the LEC Renovation from gaming revenues.

ACTION REQUIRED: Approve motion to allow for the study of expanding the Law Enforcement Center and discern a statement of probable cost based on the Baker Group study in coordination with the Building Superintendent and a structural engineer.

Prairie Hills Meeting

October 9, 9:30-10:30 a.m.

Savings from closing Prairie Hills is estimated to be $116,689.31 from utilities, ongoing expenses of maintenance, telephone, etc. The cost of keeping Prairie Hills open the next ten years is not only the **$1,166,893.10** of ongoing expenses but also mitigation of the stack ($10,000), a new domestic hot water and boiler system ($105,000) not to mention the increased liability and unforeseen expenses will continue to plague the county.

$1,281,893 would therefore be expended the next 10 years, and there will still be settling issues, piping problems, and long-term concerns. The Board wisely held off on any new repairs. The chiller system added within the last 5 years could be sold. Here is the breakdown of last year's **$116,689.31**:

$32,065.16	Building Operations Maintenance Repairs
$60,045.55	Gas, Propane / Heating Oil
$20,707.29	Electrical
$3,871.31	Garbage Removal

We are paying an outrageous $4.28 per square foot annual cost for utilities.

The cost of building renovations to preserve a **training center only** would be $987,000 including site development (demolition of the stack at $10,000), new windows, lighting, new ceilings, M/F restrooms, mechanical system for rooftop unit, and conference training center. This would include all HVAC upgrades. While we discussed initially taking a course of action to have The Baker Group simply study what it would cost to build a new building with a kitchen and training center adjacent to the old county home building, the update below reveals a new course of action.

Regarding jail crowding if a solution is to transport, it is federal inmates who would leave first before transporting. Housing federal inmates results in approximately $300,000 a year, and figures can additionally be provided on what was gained between 2006-2014.

The capacity at Prairie Hills is 40, but as we understand it: the space is not being utilized and has not been for the last 5 weeks. When it is utilized, it is underutilized to such a degree that it has no real impact on jail crowding issues.

CBM KITCHEN RELOCATION

Finding an additional place could add more than $0.25 per meal (over $72,000 annually). This is an estimate.

However, the possibility of utilizing the courthouse basement kitchen may be viable but several issues would have to be worked through including if deliveries could happen in the street; courthouse security; a direct entrance right down to that area to transport meals. Given the fact that Building Services is relocating to the Eagle's Club, a space tour revealed that the space is impressive and much of the equipment could be utilized. CBM could also come to a cost-sharing agreement where they supplied the initial investment of walk-in cooler, freezer, and other necessary upgrades. CBM believes that we may very well be able to work this out, which is exciting. They have no desire to do commissary out of the kitchen.

Update: Kenny Schmitz, Building Superintendent, and Baker Group personnel found blueprints for the current LEC. They had heard previously that there was not the structural integrity to support building out, but this does not seem to be the case at all. Above the second floor / inside exercise area, there exists 65x80 (around 5,000 square feet) with solid wall all the way around it. This would provide much needed jail space and would need to be verified by a structural engineer.

Sheriff Drew is very excited about the possibility. Regarding the training center, if it was an either-or-choice between preserving a training center, giving the Baker Group a direction to build new adjacent training center on the Prairie Hills site, or expanding existing jail space, Sheriff Drew says the latter is the key priority. We could either work the exercise/gym equipment into the floor plan, or even allocate gym memberships rather than the nearly $1 million cost of building a training facility. The gun range, housing of vehicles, and other Prairie Hills site maintenance could be maintained. Operationally, we can also see that over the next 10 years, this project could be paid for by funds otherwise wastefully expended at the current Prairie Hills facility.

Prairie Hills Meeting

August 24, 2015 from 3:00-4:30 p.m.

Sheriff's Department (Sheriff Drew, MAJ Stallman, MAJ Wieck, LT Phillips, LT Harlow)

The State Jail Inspector has deemed this to be under a variance but new construction may merit this to be deemed to be out of grandfathering/variance.

If work release inmates are not actively out there, it may be deemed to have passed its variance and reoccupancy may mean the loss of the variance.

There is also concerned with the Fire Marshall regarding the second and third floor. Fire door exits are not functional as well as sprinklers or fire escapes.

2009 RML Architect and Casey Engineering discussed what all would need to be done to the spaces but no cost estimates were delivered at that time.

It would be much safer and logistically makes more sense to have staff together and for a work release program to be located downtown.

Discussion took place of the original areas designated for females "J Block" to be work release or what an LEC remodeling/renovation would take.

Chairman Monson / Supervisor Jeremy Taylor

The Treasurer has indicated a willingness to discuss a move.

Chairman Monson shared that after getting stakeholders together, we need to approach Judges on placement. This is part of the eventual solution to follow.

Supervisor Taylor shared that at $4.28 per square foot in utility costs (by way of comparison, Siouxland District Health $1.37; LEC $1.41; Trosper Hoyt $0.99), a long-term approach means we must weigh the cost of "business as usual" in keeping the facility open with what it would cost us to take a new direction. There must be a bridging technique or a plan to open one facility January 1, 2017, for example, while transitioning from Prairie Hills.

The Baker Group (Dave Jorgensen; Shane Albrecht; Tom Borror)

Building Superintendent Kenny Schmitz

While there is a nearly new chiller, the concern is that heating burns 100% fuel oil. New building has settling of the corridor. The electrical is cloth-covered in the old building. Windows leak like a sieve. Boiler room mechanical needs to be replaced and the stack is a true danger and liability. The stack is an absolute danger and liability and would need to come down with a new boiler system but wouldn't be easy due to where it would ultimately land. A full report of the preliminary study is available.

One of the true problems even with investing $105,000 in boilers and new domestic hot water system is that we have no idea of the internal condition of the piping. The "patient" can get a new heart but if the rest of the cardiovascular system is bad according to The Baker Group.

The Baker Group is concerned about what it would even take to get to 5 years. They will work with Building Superintendent Kenny Schmitz to determine what it would take to even patch things for a 1-2 year transitional stretch.

Repurposing space within the LEC is a good idea; however, everything would have to be PREA-compliant and this would be a very costly endeavor. Current conditions may be subsumed into a loss of variance as well. A bond issue to float this according to all stakeholders involved would possibly have just as bad prospects as a new jail.

Superintendent Schmitz's initial impressions were to get a wrecking ball and end expenditures.

Discussion took place on how exorbitant renovation and remodeling cost can be, especially to meet current code.

MAJ Wieck mentioned the possibility of transporting prisoners to other facilities while closing down Prairie Hills.

Next Steps:

A meeting between Kenny Schmitz, the Baker Group personnel, and possibly the State Jail Inspector could take place on the idea of renovation including a cost estimate (though this seems not a likely outcome).

Kenny Schmitz and the Baker Group can determine the total operating costs of keeping Prairie Hills afloat including the 1-2 year repairs, all utilities, and other costs associated.

Both ideas above could be weighed in the data-making decision.

The Sheriff's Department can look at the cost of hiring 2-3 transport officers, the loss of approximately 15 prisoners to other county jails, and costs associated with transportation. Supervisor Taylor mentioned that the costs of Prairie Hills operating could be diverted to help offsetting the "loss" of funds for those prisoners, e.g. $400,000.

Chairman Monson can gather stakeholders (Sheriff, TRC's Jim Johnson, etc.) for a possible avenue in lieu of a bond issue costing tens of millions of dollars, which would likely not pass. Between the 2 options, both of which would require a bond issue, the transporting of prisoners would allow us to close Prairie Hills, reduce the number of prisoners, and do so without a bond issue. This alleviates overcrowding in the jail and the inefficiency of continuing to operate Prairie Hills including the real possibility of pouring hundreds of thousands of dollars (or more) and still ending up with the same result.

We will look to meet Friday, September 11, at 9:00 a.m. in the LEC.

Friday, September 18, from 8:00-9:30 a.m.

A. The Baker Group presented on how being able to bring the site up to current codes would require nearly $8 million for the whole building renovation, $2.272 million for one story, and $5.778 million for the 3-story building. On a Spreadsheet entitled "Prairie Hills Remodel," their analysis gave an "aerial overview" of site development (road repair, site fencing, stacks); general construction (doors, ceilings, painting, flooring); mechanical systems (boilers, domestic water, etc.); fixed equipment ($5/sq. ft.); and phasing (added cost over time).

B. To engage in this remodel, the county would almost certainly lose the variance or grandfathering not to mention that not utilizing this space currently could end with the same result. All three of these figures are in excess of a bonding threshold, most likely making any one of the three options untenable.

C. The discussion then moved to the utilization by the Sheriff's Department of the training facility. The Baker Group's rough estimate is that a rooftop unit and other upgrades could cost somewhere between $500,000-$900,000. We need a plan to get much better numbers but included in this narrowed estimate is a desire to know a more precise cost for the Rooftop Unit, new windows, a control system, a male and female shower by the workout room, taking down the stack (which represents a clear and present danger), and the preservation of adjacent areas for storage as a long-term bridge to eventual tear-down if necessary

D. This remodel cost is under the bonding threshold and could be put into a CIP for next year.

E. We discussed the operations and outrageous utility costs at Prairie Hills ($4.28/sq ft). The utilities run approximately $116,000 and operational costs just to "get by" run $32,000, so the county spends nearly $150,000 currently. The county was also ready to invest an additional $105,000 for two new boilers and a domestic hot water system which was thankfully put on hold. Therefore, it is important that the county examine that utilities may be reduced by half (it is difficult to estimate exact numbers) but may look at only $75,000 in utilities in future years. The county can also calculate as "saved" or "avoided cost" the additional one-time $105,000 it would have otherwise spent on a new boiler and domestic hot water system. The $32,000 annual operations would be greatly reduced by creating a permanent fix to ongoing issues. The county can also look to repurpose or sell the chiller at a cost under its full value. The county can *repurpose* a portion of these dollars toward the cost of what it would otherwise take perhaps in personnel and staffing to reduce the Work Release and/or utilize additional transport. At a cost of $8 million, the county would have otherwise spent $200,000 annually for 40 years. While with fiscal prudence and responsibility, we certainly do not want to anywhere near this annual expenditure, we have to recognize that there must be a solution to both overcrowding and a way to meet Work Release needs.

F. If CBM did not utilize the kitchen at Prairie Hills, CBM's contract can be renegotiated and they have already intimated that they have alternative site for cooking. We can also begin the process at looking at the very logical fact that the Courthouse has a kitchen which is across the street from ultimately where the food is to be transported. This cost can be renegotiated if necessary from its current $1.54 / plate. We must be cognizant even if we are given a reduced rate because of their ability to use the Prairie Hills kitchen how much it is ultimately costing us to keep Prairie Hills fully operational.

G. There are two other keys: "24/7," which will take the Legislature and an accompanying facility, and the possibility of hiring up to 3 transport officers. I suggested that working with the House Chair of Judiciary (Chip Baltimore-R) and the Senate Chair or Judiciary (Robb Hogg-D) would be most fruitful and utilizing our local legislators to reach out to each respectively while Sheriff Drew works the Sheriff's Association and applicable law enforcement. However, I was surprised to learn when I talked to Rep. David Dawson that this Dawson-Jorgensen sponsored bill was actually was assigned to Human Resources but didn't move out of subcommittee because of concerns related to cost. However, 24/7 should be self-sustaining and the brunt of cost would be fronted by counties who wanted to be on this pilot program. The counter-arguments of oversight, the lack of science, etc. need to be met with well-thought-out arguments. I will reach out to House Speaker Linda Upmeyer and think it would be good for Chairman Monson, Sheriff Drew, and myself to meet with the House counterparts (our local legislators) soon.

We also need to look at a conversation with our judges, the idea of federal prisoners being reduced if necessary, and the reutilization of those dollars saved at Prairie Hills with what it may ultimately take to be able to properly transport prisoners. This would not only reduce staff strain and overtime but subsequent liability and waste associated with an energy-expending aging facility that has serious long-term issues.

Law Enforcement Center Expansion Needs

EXECUTIVE SUMMARY

We have had the privilege of sitting in on further discussion with the Sheriff's Department regarding Expansion Needs at the LEC and problem areas of the Prairie Hills facility. While this certainly isn't meant to be a final review of any committee's recommendation, this is a summary of what we consider to be critical components at this time and potential solutions.

First of all let's review Prairie Hills main building. The old three story building only houses the kitchen used by CBM for preparing prisoner meals. There is also an area in the lower level that is used for Jail overflow needs. The top two floors of this building are not used for anything other than some storage of county records on the second floor and minimal law enforcement training on the third floor. The heating system for the entire complex needs to be replaced and the boilers are far beyond their useful life. There are small air-handling units mounted in the ceiling cavity of all three floors to provide both heat and cooling. The Chiller providing cooling to these units is almost new but most of the space units are dysfunctional. The smoke stack for the boilers is in very poor condition with large chunks of concrete that have fallen off. The age of the kitchen equipment and the condition of the space it is housed in is very marginal. In our opinion the best solution to this building is to discontinue using it and move all services out of it.

The remaining buildings on this campus do serve a purpose and can continue to be used. The new portion that is attached to the old three story building can continue to be used but will need a heating and cooling system installed at the very least. It would be nice to make some additional improvements such as new lighting, ceilings, windows and fresh paint but this could be phased in as allowable in the budget. The heating/cooling would be a necessity. A wall should also be built to segregate the old 3 story building from the newer area until that building can be demolished.

The Law Enforcement Center has some definite space needs and if Prairie Hills doesn't exist for overflow and kitchen services other space will need to be identified. The Jail area already serves more inmates than it was ever intended to house and there is not a kitchen area for meal preparations. The Sheriff's department has evaluated the financial impact of both turning down federal inmates and farming out county inmates to compensate for the space conditions and both have significant negative financial impact.

The Court House does have a large kitchen area that is not in use and is right across the street from LEC. While the equipment would need to be upgraded, the space itself if very adequate and could house the CBM services. We recently toured the Court House Kitchen with CBM and they seemed open to exploring the possibility. They also indicated they would provide all the equipment needed for upgrading the kitchen including the walk-in cooler and freezer they would need. Obviously this type of investment would have an

impact on the cost of meals and your contractual time period but the preliminary numbers they shared in our meeting were surprisingly low. This would need to be negotiated directly between the County and CBM and we suggest starting the process with a Letter of Intent from them to get the conditional commitment.

LEC Jail area expansion at first glance looked to be impossible. However there is an unused space above the second floor that was originally designed for an outside recreational area. There are steps going up to it from the second floor and a very high wall around it that is lined with concrete block from the floor to the top of the surrounding Equipment Penthouses. The floor itself is solid concrete just as the rest of the second floor is. This area has about 5,000 square feet in it. When this was first discussed as potential square footage for expansion we were told there had already been a study done by some engineering firm and the County had been told it would not structurally hold an expansion of the jail area. We also inquired as to who performed the actual structural study and no documentation can be found. We were also told there were no building plans available for us to take a look the design so the thought was dismissed. Just this past week as Facility Services was moving their office area out of the Court House to the Eagles Club, a box of old plans was discovered and they included the 1985 LEC prints. It appeared that one set of the prints was actually from the job construction site and has notes and changes hand entered into it. Please keep in mind that we are not Structural Engineers but from our Construction Managers review (Shane Albrecht and he does have experience in building jails) it appears that the building in this area has all the structural integrity that the rest of the facility has and should be able to support additional expansion (a lot of the load is already in place).

Before anything moves forward with other solutions we feel this concept needs to be studied in depth first. Our attached Solutions Plan outlines Steps we believe should be done. Without over inflating a cost it's impossible to quote a solid number for researching this solution. Each step outlined should be considered a "Go" or "No Go" directive and hours have been estimated so at any point either Baker Group or the County doesn't think it's feasible to move forward the study would stop and so would your costs. We believe that if it all works right we could add around 20 jail cells and an Officer Training room but there are a lot of things we need answered before we can get to a good budget number and move forward with final designs.

If the above is acceptable to Woodbury County we will be happy to provide a short form of Project Development to your attorney for review.

Best regards,

David C. Jorgenson
Director

Woodbury County LEC Solutions Plan

CM = Construction Manager
PM = Project Manager
Design = Profession Engineer or Architect

		Estimated Professional Service Hours		
		CM	PM	Design
Step 1	**Expand Jail Facility** Evaluate the structural integrity of the Jail area of LEC to determine probability of being able to finish the 5,000 Sq. Ft of unused outside recreation area for Jail Cell expansion and Officer Training Room	40		32
Step 2	**Identify Building Code Obstacles** Meet with DOC and State Fire Marshall to review concept, requirements and feasibility	16	8	8
Step 3	**Relocate Kitchen out of Prairie Hills** **Sheriff Office**: Work with CBM Food Services to develop a conditional Letter of Intent for moving the food preparation Kitchen from Prairie Hills to the existing Kitchen Space in the Court House. CMB to provide all equipment needed including cooking, refrigeration, freezing, dish washing and exhaust hood improvements. Cost of equipment would be included in the meal prices and contract terms would be negotiated.	12		
Step 3.1	**IF LOI is satisfactory to Sheriff Department**	16	12	

Baker Group and **Facility Services** would work together to provide a budget for General Construction, Electrical Service, Plumbing and HVAC as needed to accommodate the space.

Step 4 **Conceptual Design** TBD

County to contract with Architect (Dana Rubel Larson original Architects of LEC) for conceptual design development of Jail expansion and will support Baker Group in developing budget construction costs.

Step 4.1 **Construction Budget** TBD TBD

Baker Group to provide design support and develop construction budget

	84	20	40	
Hourly Rate:	$ 115	$ 93	$ 150	Total Estimate
Estimated Cost:	$ 9,660	$ 1,860	$ 6,000	$ 17,520

If Needed:

Step 5 **Reduce foot print at Prairie Hills** 8

Budget Construction costs to reduce the amount of conditioned square footage and segregate the old three story building from the newer portion until it can be demolished.

Governor Terry E. Branstad
Lt. Governor Kim Reynolds
San Wong, Director

September 30, 2015

OCT 13 2015 PM12:57

CHAIRPERSON
WOODBURY COUNTY BOARD OF SUPERVISORS
WOODBURY COUNTY COURTHOUSE
620 DOUGLAS ST
SIOUX CITY IA 51101

Are you having trouble finding qualified women to serve on your city or county boards and commissions? We are here to help.

The Iowa Department of Human Rights' Office on the Status of Women, the Friends of the Iowa Commission on the Status of Women, and the Iowa Commission on the Status of Women are identifying women whose capabilities match local requirements for service. The Friends of the Iowa Commission on the Status of Women developed a Talent Bank database comprised of women who are interested in serving on a city or county board and/or commission. To view the Talent Bank database, which is comprised of a list of potential female candidates throughout Iowa, please visit: http://friendsoficsw.org/TalentBank/ViewtheTalentBank.aspx

In this letter, we have included a copy of the Iowa Commission on the Status of Women's Guide for Cities and Counties which provides a number of ideas that are effective and easy to implement. You can also download this guide from our website: https://humanrights.iowa.gov/cas/icsw/about-us/commission/gender-balance-project.

Why should you target people to join local boards and commissions?

You likely already know why recruitment is important—serving on a board or commission is a meaningful way for citizens to participate in civic life. Diversity of experiences is critical in developing representative and balanced local practices and policies. Actively seeking out new members will create more visibility of the board or commission's presence in your area, showing the commitment to your community's well-being.

Recruitment may also attract qualified individuals who had never thought to work in local decision making or politics before. Diversity of board and commission membership, be it race, gender, age, or other factors, may help cities and counties more effectively communicate with and serve more citizens. Further, citizens in your community—like anywhere—are busy and likely already have commitments. It is important to demonstrate to them the benefits they will receive by serving. Members get to share expertise while

directly participating in shaping the local community. For some, serving on a board or commission can also lead to higher leadership opportunities.

Please contact us for more information.

Would you like to learn more about Iowa's law requiring all political subdivisions of the state to be gender balanced in their appointments to municipal commissions, committees, boards and councils? For more information regarding the gender balance law, Talent Bank database, or on efforts to recruit more women to boards and/or commissions, please contact us at women@iowa.gov or (800) 558-4427.

Sincerely,

Kristen Corey

Kristen Corey, Program Planner
Office on the Status of Women
Iowa Department of Human Rights

ICSW
iowa commission on the status of women

Iowa's Commitment to Women...

Recruiting Gender Balanced Boards and Commissions: A Guide for Cities and Counties

An Office within the Iowa Department of Human Rights

This document aims to provide guidance and advice to county and city boards and commissions in Iowa in achieving gender balance. Much of the work to achieve gender balance centers on attracting more women to participate in local government.

Gender balance on state-level boards and commissions has been required since 1987. In 2009, the Iowa Legislature extended this expectation to county and city boards and commissions, effective January 1, 2012; however, there is no reason to wait. Cities and counties would be best served by developing diverse lists of qualified citizens to serve now. Though some board and commission seats won't expire for some time, cities and counties never know when they may have an unexpected vacancy. Moreover, some local boards and commissions have many long-term members, and recruiting other qualified individuals now will provide ample time for mentoring and skill development as "the torch" of leadership is passed.

Why should we target specific types of people to join local boards and commissions?

You likely already know why recruitment is important in and of itself—serving on a board or commission is a significant and meaningful way for citizens to participate in civic life.

Diversity of experiences is critical in developing representative and balanced local practices and policies. Actively seeking out new members will create more visibility of the board or commission's presence in the area, showing its commitment to the community's well-being. Recruitment may also attract qualified individuals who had never thought to work in local decision making or politics before. Diversity of board and commission membership, be it race, gender, age, or other factors, may help cities and counties more effectively communicate with and serve more citizens.

Further, citizens in your community—like anywhere—are busy and likely already have commitments. It's important to demonstrate to them the benefits they will receive by serving. Members get to share expertise while directly participating in shaping the local community. For some, serving on a board or commission can lead to higher leadership opportunities.

Although women make up more than half of the Iowa population, they are underrepresented on some local boards and commissions, especially those that make economic decisions for communities. Likewise, men are underrepresented on other types of boards and commissions, such as library boards and others. Across most communities in Iowa, more women need to be engaged. Encouraging women to join local boards and commissions now will open future leadership possibilities up to other women in your area, and will provide positive role models for women and girls interested in local community development.

Our board does not discriminate based on gender or any other factor. Why do we need gender balance?

During the 2009 legislative session, the 83rd General Assembly passed HF243, a bill that extends the expectation for gender balance from state boards, and commissions created by the code, to the local level. Beginning January 1, 2012: "All appointive boards, commissions, committees, and councils of a political subdivision of the state that are established by the Code, if not otherwise provided by law, shall be gender balanced...unless the political subdivision has made a good faith effort to appoint a qualified person to fill a vacancy on a board commission, committee, or council in compliance with subsection 1 for a period of three months but has been unable to make a compliant appointment." (Iowa Code, Chapter 69.16A(2)).

This means that a county or city which makes a good faith effort to appoint a qualified person

to fill a vacancy for three months, but is unable to make an appointment, may fill the opening regardless of balance. The legislation, also states that local governments are to utilize a fair and unbiased method of selecting the best qualified applicants, while providing for gender balance. This means that a standard protocol, application, or process is used to determine qualifications. Such a process need not be complicated. In fact, the more transparent and simple it is, the better for recruitment.

Prior to this law change, some Iowa municipalities reported having no formal application process; anecdotally, it was said that "it's who you know" that gets one appointed. Because of this, many talented and qualified women were simply not considered. It stands to reason that implementing gender balance on local boards and commissions may greatly expand the number of women in leadership roles in Iowa communities.

Diversity should be encouraged on all boards but the mandate is only applicable to statutorily defined boards and commissions at the local level, and does not apply to a board or commission set up locally and with no Iowa Code authority/guidance.

It is already hard enough to find members to serve. How can we find enough interested women?

Recruiting women to serve is probably the easiest way to fill local boards and commissions. Women in Iowa volunteer at significantly higher rates than do men, and Iowa ranks 7th in the nation in civic volunteering. Women with children under age 18 volunteer at a significantly higher rate than do women without young children, and women who work volunteer at a significantly higher rate than those who don't. Adult women outnumber adult men in 90 of Iowa's 99 counties.

While women volunteer significantly in this state, they are less likely to be approached about leadership possibilities on local boards and commissions. For instance, research shows that though women are elected just as often as men when they do run for office, they are three times less likely than men to be asked to run. Approaching women and asking them to serve is an excellent way to find new and highly qualified members.

At the same time, cities and counties may find themselves challenged to make board and commission opportunities stand out as a unique opportunity. Work with women from local leadership groups, schools and other organizations to brainstorm what "messages" might resonate best with women in your community. It might be valuable to give strong consideration to newcomers to your community, who can bring outside experience and have not likely been asked to volunteer for so many things.

We need members with specific qualifications, and it seems fewer women have these. How can we fill our board?

First, make sure you are not operating under unchallenged assumptions about the qualification of women and men for certain positions. One elected official reported he found it difficult to find women to serve on the Condemnation Board because he believed "not many women are farmers or realtors." In actuality, women are the majority of realtors in his community, and statewide, women are owner/operators or partners in 47% of Iowa's agricultural land (Women, Food and Agriculture Network, 2008).

Second, utilize local clubs and organizations, or even statewide associations, to get out the word about the skill set you require. A Parent Teacher Association may be helpful in identifying a father to serve on an Empowerment Board; a local labor union, community college, or contractor may help find a female electrician to serve on an Electrical Code Board.

Last, you may wish to revisit the locally determined requirements for board and commission appointments. Some have been not been updated for a very long time, and you may find that there is not a good reason for continuing with some restrictive requirements, or that some entities just have too many members. For example, one community might make its Veterans Board easier to fill by eliminating the requirement for veterans of specific wars; another might update the eligibility to also include spouses of veterans, who clearly are affected by the provision of veterans services. Some cities and counties may wish to reduce the size of certain boards if a very large membership does not add an obvious value.

Simple strategies for recruiting qualified candidates:

- Step back and make sure you and other representatives of the city or county are positive in the way you talk about opportunities to serve on boards and commissions. Some appointing officials make the mistake of portraying participation as contentious, boring, or too time consuming. When officials talk openly about "going through the phone book to find candidates," that is potentially denigrating to the board and to potential candidates. While you don't want to misrepresent the commitment, make sure any frustration you have with the board or with filling the position does not taint the view you are providing of the opportunity. If there are real, ongoing problems with specific boards and commissions, such as continually straying from the agenda and going over time, try to address them before bringing in "new blood."

- Cross train board and commission members and encourage them to try something new. A veteran of the Planning and Zoning Board might welcome a change of pace in going to an Arts or Historical board. A devoted Library Board member could bring much to an economic development advisory council.

- Hold information sessions where people already gather in order to provide information about your boards and commissions. Many local groups are always looking for a lunch speaker. Tell them about the opportunities you have and be sure and make a pitch for the specific people and skill sets you need.

- Maintain visibility in your community, emphasizing that boards and commissions are open to diversity and change. This is especially important in communities with a long history of "gender segregated" boards and commissions. The more people are aware of real opportunities to serve on a board or commission, the more likely women are to seek appointment.

- You may find it helpful to bring in outside observers to a meeting to determine if there is anything about the entity that may not be inviting to diverse candidates. Sometimes, groups may fall into habits or traditions without being aware that they might be creating an exclusionary environment, such as distributing flyers to members that say "Bring your baked goods to the next meeting" or "Wives are welcome."

- Actively work to consider women in your community as potential board or commission members. Ask for recommendations from a variety of community leaders. If you were an employer advertising a position and you didn't get the type of applicants you were looking for, you would step up your search. Women have been much less likely to be recruited than men, yet they are just as likely to take a position when asked. One County Auditor reports, "I always ask women. When you just tell them how often the board meets and for long, I find they say yes more often."

- In a one-on-one setting, encourage individual women you know and admire to seek appointment on boards and commissions. Many women have grown up in families or cultures that undervalue women's contributions, or may have themselves grasped a little too firmly on the Midwestern ideal of humility. You may find that women more than men tend to question their own qualifications for a board or commission, or may believe that "traditional female" approaches to leadership, such as building consensus, are not what you are seeking. Help them to see how their strengths are needed to enhance the community.

Basic Tips for Recruiting Women to Local Boards and Commissions

Information about boards and commissions is critical to making a decision to commit to seeking membership. Candidates need to fully understand the function, purpose, and mission of any board or commission before seeking an appointment. While prospective members will need to do the work to understand your board or commission, it is important to provide means for them to do so.

Tips for facilitating research:

- Provide publications or websites that list current boards and commissions. Lists could indicate relevancy of each board and commission to specific areas of interest.
- Explicitly establish the purpose of the board or commission, including the law that establishes its existence and mandates its duties. Provide its enabling statute.
- While few boards and commissions do not have paid staff, most do have web pages linked to the official county government website. Your board or commission web page should provide materials of the organization, such as minutes, newsletters, strategic plans, and annual reports. Provide a list of current members on the county or city website.
- Advertise meetings or events to allow women interested a first impression of how the body operates. Have a few people look at your ad or flyer to see if they can help you make it more inviting.

iowa commission on the status of women

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Iowa League of Cities
Iowa State Association of Counties
League of Women Voters of Iowa

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	6:00 a.m.	6:00 p.m.

October, 2015

October 5, 2015		**14**
October 6, 2015	**14**	**14**
October 7, 2015	**14**	**15**
October 8, 2015	**15**	**15**
October 9, 2015	**15**	**15**
October 10, 2015	**15**	**15**
October 11, 2015	**15**	**15**
October 12, 2015	**15**	

The Center averaged 14.6 residents per day during the above week and 14.6 during the 6:00 p.m. check for a weekly average of 14.6 residents per day during the above week.

Of the fifteen residents detained on October 12, 2015, four or twenty seven percent were identified as gang members.

We are currently detaining eight juveniles from the BIA.

Mark Olsen
Director
WCJDC
October 12, 205

WOODBURY COUNTY JAIL WEEKLY POPULATION REPORT AT 0600 HRS.

DATE	Day	DAILY TOTAL	LEC	ELECTRONIC MONITORING	PRAIRIE HILLS	FEDERAL PRISONERS
10/10/15	Saturday	223	209	14	0	16
10/11/15	Sunday	220	206	14	0	16
10/12/15	Monday	223	209	14	0	16
10/13/15	Tuesday	224	208	16	0	16
10/14/15	Wednesday	222	206	16	0	16
10/15/15	Thursday	234	219	15	0	17
10/16/15	Friday	225	210	15	0	24
		1571	1467	104	0	121

24 HOUR DAILY COUNT

DATE	TOTAL	MALE	FEMALE
10/10/15	247	200	47
10/11/15	237	195	42
10/12/15	229	189	40
10/13/15	241	200	41
10/14/15	240	197	43
10/15/15	245	197	48
10/16/15	251	199	52
	1690	1377	313

*Highest population count each day